



# भारत का राजपत्र

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सं० 40]

नई दिल्ली, शनिवार, अक्टूबर 6, 1979/आश्विन 14, 1901

No. 40]

NEW DELHI, SATURDAY, OCTOBER 6, 1979/ASVINA 14, 1901

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।

Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़ कर) भारत सरकार के मंत्रालयों और (संघ राज्यक्षेत्र प्रशासनों को छोड़ कर)

केंद्रीय प्राधिकारियों द्वारा जारी किये गए सांख्यिक आदेश और अधिसूचनाएं

**Statutory Orders and Notifications issued by the Ministries of the Government of India  
(other than the Ministry of Defence) by Central Authorities (other than the  
Administrations of Union Territories)**

ELECTION COMMISSION OF INDIA

61. 3-9-79

ERRATUM

New Delhi, the 19th September, 1979

S.O. 3383.—In Election Commission's Notification published in Hindi as का० आ० 505 (अ) and in English as 'S.O. 505(F)' at page 869 and 870, respectively, of the Gazette of India Extraordinary, Part II Section 3 (ii) dated the 4th September, 1979 for नई दिल्ली, 4 सितम्बर, 1979 and 'New Delhi, the 4th September, 1979' appearing, respectively, as the date of the Notification, read "नई दिल्ली, 31 अगस्त, 1979" and "New Delhi, the 31 August, 1979"

[No. 429/DNH/79/537]

O. N. NAGAR, Under Secy

**भारत निर्वाचन आयोग**

का० आ० 3384 —लोक प्रतिनिधित्व अधिनियम, 1951 की धारा 106 के अनुसरण में निर्वाचन आयोग, 1977 की निर्वाचन शर्तों में से दिया गया उच्च न्यायालय, बिहार, पटना, का तारीख 3 सितम्बर, 1977 का आदेश प्रकाशित करता है ।

[सं० 82/विभाग-लो० सं०/2/77]

एम० एच० चन्दा,

अवर सचिव

In the High Court of Judicature at Patna

Election Petition 2 of 1977

Binay Krishna Singh ... .. Petitioner

VFRSUS

Shri Shyam Sundar Gupta & ors ..

Respondents

637 GI/79-1

(2761)

Mr. Rajindra Pd, learned counsel for the election petitioner, submits that since the Lok Sabha has been dissolved, the present election petition has become infructuous and consequently he does not press it. Mr. R. N. Roy, appearing for the contesting respondent no.1 also joins in the aforesaid submission of Mr. Rajendra Prasad, and he also does not press for any cost

In the result, the election petition is dismissed as not pressed, having become infructuous, because of the dissolution of the Lok Sabha.

Sd. M. Prasad.

New Delhi, the 15th September, 1979

S.O. 3385.—In pursuance of section 106 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby publishes the judgment dated the 13th November, 1978 of the High Court of Karnataka at Bangalore in Election Petition No. 1 of 1977.

BEFORE THE HON'BLE MR. JUSTICE : N. R. KUDOOOR,  
IN THE HIGH COURT OF KARNATAKA, AT

BANGALORE

Dated the 13th day of November, 1978

Election Petition No.1/1977

G. N. Nallure Gowda S/o Sri Laxme Gowda Major,  
Industrialist and Businessman, Resident of Hassan—  
Petitioner

Vs.

1 S. Nanjesh Gowda S/o Shive Gowda, Major Contractor, No. 591, Krishnarajapuram, Hassan.

2 Sannadevaiah, H P S/o Puttiah Major Agriculturist Resident of Holalagodu Mallipatna Hobli Arakalgud Taluk Hassan District—Respondents

Election Petition filed by the Petitioner under Section 81 of the Representation of the People Act, 1951 challenging the election of the Respondent No. 1 to the House of the People from 19th Hassan Parliamentary Constituency in the General Election held on 19th day of March, 1977, and seeking an order that this Court may be pleased,

(1) to Order scrutiny and recount of the Ballot papers of the constituencies attached to 19th Hassan Parliamentary Constituency.

(2) To declare the election of the first respondent to the House of the People from the 19 Hassan Parliamentary Constituency as void.

(3) To declare that the petitioner have been duly elected on the basis of recount and scrutiny for the said 19 Hassan Parliamentary Constituency and

(4) to ward costs of the petition.

This Election Petition coming on for trial on 16-6-1978, 28-6-1978, 29-6-1978, 30-6-1978, 3-7-1978, 4-7-1978, 5-7-1978, 10-7-1978, 11-7-1978, 12-7-1978, 13-7-1978, 13-7-1978, 17-7-1978, 18-7-1978, 19-7-1978, 20-7-1978, 21-7-1978, 24-7-1978, 25-7-1978, 4-8-1978, 11-8-1978, 18-8-1978, and 25-10-1978.

Sri A. K. Chanpegowda Advocate for the Petitioner and Sri C. V. Guruv Gowda and Sri V. K. Varadachari Advocate for Respondent No. 1 and Respondent No. 2 and his Counsel having been absent and this Election Petition having stood over for consideration and in view of the Memo dated 13-11-1978 filed by the Advocate for the petitioner for the dismissal of the Petition for the reasons stated therein, the Court made the following order the 13th day of November, 1978.

#### ORDER

NARAYAN RAI KUDOOR, J.—Shri Kalasa Shamanna, learned counsel for the petitioner, has filed a memo on behalf of the petitioner stating that in view of the order passed by this Court on I.A. Nos. II and IV, the petitioner desires not to press the petition and the same may be dismissed directing the parties to bear their own costs in view of the facts and circumstances of the case.

2. Shri C. V. Guruv Gowda, learned counsel appearing for the contesting 1st respondent, however, prays for the costs in view of the fact that the 1st respondent has incurred heavy expenditure in defending the petition and he has spent Rs. 1658-95 towards the witness batta alone.

3. In the light of the memo filed on behalf of the petitioner and also taking into consideration the submission made on either side regarding the cost, I make the following order :

The Election Petition is dismissed with costs. The petitioner is liable to pay a consolidated sum of Rs. 2,500 being the cost fixed, to the 1st respondent. The 1st respondent is entitled to receive the cost out of the security amount deposited and the balance from the petitioner.

4. Further action shall be taken as stipulated under Section 103 of the Representation of the People Act, 1951.

N. R. KUDOOR, Judge

[No. 82/KT-HP/1/77/78]

V. K. RAO, Under Secy

#### बिजुत मंत्रालय

#### (राजस्व विभाग)

नई दिल्ली 2 अगस्त, 1979

आय-कर

का० प्रा० 3386.—सर्वसाधारण को जानकारी के लिए यह अधिसूचना किया जाता है कि आय-कर अधिनियम, 1961 की धारा 35 (1) (ii) के अधिन अधिसूचना सं० 34 तारीख 24-11-1946 द्वारा टाटा आइरन एण्ड स्टील इण्डस्ट्री, जमशेदपुर को दिया गया अनुभोजन, विहित प्राधिकारी अर्थात् गवर्नर, विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली की गिकारिज पर 1 जनवरी, 1978 से बापन लिया जाता है।

[सं० 2954/का० सं० 203/39/79-आ० का० अ० II]

जे० पी० शर्मा, निदेशक

#### MINISTRY OF FINANCE

#### (Department of Revenue)

New Delhi, the 2nd August, 1979

#### INCOME-TAX

S.O. 3386.—It is hereby notified for general information that the approval given under Section 35 (1) (ii) of the Income-tax, Act, 1961 to Tata Iron & Steel Industry, Jamshedpur, by notification No. 34 dated 24-11-1946 is withdrawn with effect from 1st January, 1978 on the recommendation of the prescribed authority, the Secretary, Department of Science & Technology, New Delhi.

[No. 2954/F. No. 203/39, 79-ITA.II]

J. P. SHARMA, Director

आदेश

नई दिल्ली, 18 सितम्बर, 1979

#### स्टाम्प

का० प्रा० 3387.—यतः टाटा आयरन मिल्स कम्पनी लिमिटेड ने जून, 1976 में ऋण-पत्रों के रूप में एक करोड़ छ लाख उनत्तावीस हजार एक सौ सत्तर ०० कुल अंकित मूल्य के बंधपत्र जारी किये ;

और यतः उक्त कम्पनी ने, उक्त ऋण-पत्र जारी करने से पहले उक्त ऋणपत्रों पर लगने वाला एक लाख छः हजार आठ सौ तीस रुपये तीस पैसे 23 जून, 1976 को महाराष्ट्र सरकार के पास जमा कर दिया था ;

अतः अब, भारतीय स्टाम्प अधिनियम 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार एतद्वारा निवेश देती है कि (टाटा आयरन मिल्स कम्पनी लिमिटेड द्वारा जारी किये गये एक करोड़ छः लाख उनत्तावीस हजार एक सौ सत्तर रुपये के अंकित मूल्य के उक्त ऋणपत्रों पर स्टाम्प शुल्क के रूप में उक्त कम्पनी द्वारा जमा की गयी) एक लाख छः हजार आठ सौ तीस रुपये और तीस पैसे का राशि की स्टाम्प शुल्क का पत्रावली के जरिये की गई अदायगी समझा जाएगा।

[सं० 30/79-स्टाम्प-का० सं० 33/24/79-वि० का०]

एस० डी० रामस्वामी, अवर सचिव

#### ORDER

New Delhi, the 18th September, 1979

#### STAMPS

S.O. 3387.—Whereas the Tata Oil Mills Company Limited issued in June, 1976 bonds in the form of debentures of the total face value of rupees one crore, six lakhs, thirty nine thousands, one hundred and seventy;

And whereas the said Company had, prior to the issue of the said debentures, deposited on the 23rd day of June, 1976 with the Government of Maharashtra consolidated stamp duty amounting to rupees one lakh, six thousand, eight hundred and thirty and paise thirty on the said debentures;

Now therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby directs that the amount of rupees one lakh six thousand eight hundred and thirty and paise thirty (deposited by the Tata Oil Mills Company Limited towards stamp duty on the said debentures of the face value of rupees one crore six lakhs thirty nine thousand one hundred and seventy issued by the said Company shall be treated as payment by way of composition of stamp duty.

[No. 30/79-Stamps. F. No. 33/24/79-ST]

S. D. RAMASWAMY, Under Secy.

#### आर्थिक कार्य विभाग

#### (बंकिंग प्रभाग)

नई दिल्ली, 19 सितम्बर, 1979

का० प्रा० 3388.—बैंककारी विनियम अधिनियम 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार

भारतीय रिजर्व बैंक की सकारण पर एतद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 10 ख की उपधारा (9) के उपबंध 31 दिसम्बर, 1979 तक विजया बैंक लिमिटेड, मंगलूर पर डा समा तक लागू नहीं होंगे जहाँ तक कि वे चार माह से ऊपर की अवधि के निम्न अध्यक्ष का कार्यभार सम्भालने के लिये किसी व्यक्ति को नियुक्ति करने के सम्बन्ध में बैंक पर रोक लगाने हैं।

[संख्या 15 (30)-बी० प्रो०-III/79]

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 19th September, 1979

**S.O. 3388.**—In exercise of powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendations of the Reserve Bank of India, hereby declare that the provisions of sub-section (9) of section 10B of the said Act shall not, to the extent they preclude the bank from appointing a person to carry out the duties of a Chairman beyond a period exceeding four months, apply to the Vijaya Bank Ltd., Mangalore, up to the 31st December, 1979.

[No. 15(30-B.O. III/79)]

**क्र० प्रो० 3389.**—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सकारण पर एतद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 19 की उपधारा (2) के उपबंध, इस अधिसूचना के जारी होने की तारीख से 2 वर्ष की अवधि के लिए, यूनाइटेड बैंक ऑफ इंडिया कलकत्ता पर उस समा तक लागू नहीं होंगे जहाँ तक इस बैंक का संबंध, गिरबोहार (प्लेजो) के रूप में सैसर्स बंगाल हेल्थ एण्ड केमिकल वर्क्स लिमिटेड के 10 रुपये के 10,050 शेयरों की धारिता से है।

[संख्या 15 (29)-बी० प्रो०-III/79]

एन डी० बत्रा, अवर सचिव

**S.O. 3389.**—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendation of the Reserve Bank of India hereby declares that the provisions of sub-section (2) of Section 19 of the said Act shall not apply to the United Bank of India, Calcutta for a period of 2 years from the date of issue of this notification in respect of its holding 10,050 shares of Rs. 10 each in M/s. Bengal Health & Chemical Works Ltd., as pledges.

[No. 15(29)-B.O. III/79]

N. D. BATRA, Under Secy.

नई दिल्ली, 20 सितम्बर, 1979

**क्र० प्रो० 3390.**—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय रिजर्व बैंक की सकारण पर केन्द्रीय सरकार एतद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 18 और 24 के उपबंध इस अधिसूचना के भारत के राजपत्र में प्रकाशित होने की तारीख से 5 वर्ष की अवधि के लिए दिल्ली राज्य सहकारी बैंक लि० पर बहातक लागू नहीं होंगे जहाँ तक कि उक्त उपबंध इस बैंक से यह अपेक्षा करते हैं कि वह दिल्ली संघ शासित क्षेत्र में कृषकों को दीर्घावधि कृषि ऋण प्रदान करने के प्रयोजन के लिए अपने द्वारा जारी किये गये किन्हीं ऋणों से उत्पन्न अपनी देयता के संबंध में उनमें कमरा. उल्लिखित तकदी प्रारक्षित निधि और चल आस्तियों का प्रतिशत बनाये रखे।

परन्तु ऋणों के प्रतिशत के प्रयोजन के लिए रखी जाने वाली शोधन निधि के निवेश की शोतक अनुसूचित प्रतिभूतियों और शोधन निधि में निवेश होने तक तकदी या बैंक जमा के रूप में बैंक द्वारा रखी गई वस्तु-राशियों की उक्त अधिनियम की धारा 18 और 24 के प्रयोजनों के लिए तकदी प्रारक्षित निधि या चल आस्तियों के रूप में नहीं गिना जाएगा।

[संख्या 8 (26)/79-ए०सी०]

यशवंत राज, अवर सचिव

New Delhi, the 20th September, 1979

**S.O. 3390.**—In exercise of the powers conferred by Section 53 read with section 56 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sections 18 and 24 of the said Act shall not, for a period of 5 years from the date of publication of this notification in the Gazette of India apply to the Delhi State Co-operative Bank Ltd., Delhi in so far as the said provisions require it to maintain the percentage of cash reserve and liquid assets respectively mentioned therein, in respect of its liability arising out of any debentures issued by it for the purpose of granting long-term agricultural loans to the agriculturists in the Union Territory of Delhi.

Provided that approved securities, representing investment of the sinking fund maintained for the purpose of redemption of debentures and recoveries held by the bank in the form of cash or bank balances pending investment in the sinking fund shall not be reckoned as cash reserve or liquid assets for the purposes of sections 18 and 24 of the said Act.

[No. 8 (26)/79-AC]

YASHWANT RAJ, Under Secy.

(व्यय विभाग)

शुद्धी पत्र

नई दिल्ली, 19 सितम्बर 1979

**क्र० प्रो० 3391.**—भारत सरकार के वित्त मन्त्रालय व्यय विभाग की भारत के राजपत्र भाग II खंड 3 उपखण्ड (ii) में दिनांक 9 जून, 1979 को पृष्ठ संख्या 1660 पर प्रकाशित अधिसूचना क्र० प्रो० 1888 के हिन्दी पाठ में,

“1. निदेशक लेखा परीक्षा (खाद्य) लखनऊ” के स्थान पर

“4 निदेशक लेखापरीक्षा (खाद्य) नई दिल्ली

5. क्षेत्रीय लेखापरीक्षा कार्यालय (खाद्य) लखनऊ”

पढ़ा जाए।

[मि० सं० ए-11019/1/79 ई० जी० 1]

एन० के० दाग, अवर सचिव

केन्द्रीय प्रत्यक्ष कर बोर्ड

नई दिल्ली, 7 मई, 1979

(आय-कर)

**क्र० प्रो० 3392.**—केन्द्रीय प्रत्यक्ष कर बोर्ड, आय-कर अधिनियम, 1961 (1961 की 43) की धारा 121 को उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, समय-समय पर यथावशोचित अपनी अधिसूचना सं० 679 (क्र० सं० 187/2/74-प्रो० क्र० (एल) तारीख 20 जुलाई, 1974 से संलग्न अनुसूची में निम्नलिखित संशोधन करता है, अर्थात्:-

क्रम सं० 23-ड के सामने स्तंभ 1 और 2 के नोंबे का प्रतिष्ठितों में निम्नलिखित संशोधन किए जाएंगे-

|         |                        |
|---------|------------------------|
| स्तंभ 1 | आयनसाल के स्थान पर     |
|         | पश्चिमी बंगाल 14 पढ़ें |
| स्तंभ 2 | आयनसाल के स्थान पर     |
|         | कलकत्ता पढ़ें          |

यह अधिसूचना 8-5-1979 से प्रभावी होगी।

[मं० 2404 (फा० सं० 187/24/78-प्रो० क्र० (ए1)]

पी० एन० मिगन, अवर सचिव

## CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 7th May, 1979

## INCOME-TAX

**S.O. 3392.**—In exercise of the powers conferred by sub-section (1) of Section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following amendments to the Schedule appended to its Notification No. 679 (F. No. 187/2/74-IT(AI), dated 20th July, 1974 as amended from time to time.

The existing entries under Columns 1 & 2 against S. No 23M shall be amended as under:—

|               |                 |
|---------------|-----------------|
| Column 1: FOR | Asansol         |
| READ          | West Bengal-XIV |
| Column 2: FOR | Asansol         |
| READ          | Calcutta.       |

This notification shall take effect from 8-5-1979.

[No. 2804 (F. No. 187/24/78-IT(AI)]

P. N. JHINGON, Under Secy.

नई दिल्ली, 16 मई, 1979

## आय-कर

**क्रा० क्रो० 3393.**—केन्द्रीय प्रत्यक्ष कर बोर्ड, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 121क की उपवाग (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और अधिसूचना सं० 2604 (फा० सं० 261/16/78-आई टी जे) तारीख 28-11-1978 को अधिकांश करने हुए, निवेश देता है कि नीचे दी गई अनुसूची के स्तम्भ (1) में विनिर्दिष्ट भारसाधन करने वाले आय-कर आयुक्त (अपील) उसके स्तम्भ (2) और स्तम्भ (3) की तत्त्वानु प्रविष्टियों में विनिर्दिष्ट आय-कर वार्डों, सर्किलों, जिलों और रेंजों में ऐसे सभी व्यक्तियों के बारे में, जिन पर आयकर या अतिकर या व्याजकर निर्धारित किया गया है और जो आय-कर अधिनियम, 1961 की धारा 246 की उपधारा (2) के खण्ड (क) से (ज), व्याज-कर अधिनियम, 1974 (1974 का 45) की धारा 15 की उपधारा (1) में वर्णित किसी आवेश से व्यक्त हैं और ऐसे व्यक्तियों या व्यक्ति वर्ग के बारे में भी, जिनके लिए बोर्ड ने आयकर अधिनियम, 1961 की धारा 246 की उपधारा (2) के खण्ड (1) के उपबन्धों के अनुसार निवेश दिया है या सविष्य में निवेश दे, करने कृत्यों का पालन करेंगे।

## अनुसूची

| भारसाधन और मुख्यालय                      | आय-कर वार्ड और सर्किल   | सहायक आयकर आयुक्त (निरीक्षण) का रेंज   |
|--|---|--|
| 1  | 2   | 3  |
| 1. आय-कर आयुक्त (अपील) राजस्थान-1, जयपुर | निम्नलिखित स्थानों पर सभी वार्ड/सर्किल:<br>1. केन्द्रीय सर्किल, जयपुर को छोड़कर, जयपुर।<br>2. सम्पदा मुल्क एवं आय-कर सर्किल, जयपुर<br>3. अजमेर<br>4. बेबर<br>5. कोटा<br>6. बूंदी<br>7. सवाई माधोपुर | 1. सहायक आय-कर आयुक्त (निरीक्षण), रेंज-1, जयपुर<br>2. सहायक आय-कर आयुक्त (निरीक्षण), रेंज II, जयपुर<br>3. सहायक आय-कर आयुक्त (निरीक्षण) (सहायक), जयपुर।<br>4. सहायक आय-कर आयुक्त (निरीक्षण) जयपुर रेंज, उदयपुर<br>5. सहायक आय-कर |

| 1   | 2  | 3   |
|---|--|---|
|   | 8. बालवार<br>9. सिकार<br>10. मुनमुनु<br>11. उदयपुर<br>12. चितौड़गढ़<br>13. भीलवाड़ा<br>14. गिरौही  | आयुक्त (निरीक्षण), अजमेर रेंज, अजमेर  |
| 2. आय-कर आयुक्त (अपील) राजस्थान-II, जयपुर | निम्नलिखित स्थानों पर सभी वार्ड सर्किल-I<br>1. केन्द्रीय सर्किल, जयपुर<br>2. सम्पदा-एवं आय-कर सर्किल, जयपुर।<br>3. जोधपुर-I<br>4. अलवर<br>5. भरतपुर<br>6. पाली<br>7. बाड़मेर<br>8. जेलोर<br>9. बीकानेर<br>10. नागौर<br>11. अरु<br>12. श्रीगंगानगर<br>13. हनुमानगढ़ | 1. सहायक आय-कर आयुक्त (निरीक्षण), रेंज I, जयपुर।<br>2. सहायक आय-कर आयुक्त (निरीक्षण) जोधपुर रेंज, जोधपुर।<br>3. सहायक आय-कर आयुक्त (निरीक्षण), बीकानेर रेंज, बीकानेर। |

जहाँ कोई आयकर सर्किल, वार्ड या जिला या रेंज या उसका भाग इस अधिसूचना द्वारा एक भारसाधन से किसी अन्य भारसाधन को अन्तर्गत हो जाता है, वहाँ उस आय-कर सर्किल, वार्ड या जिले या रेंज या उसके भाग में किए गए निर्धारणों से उत्पन्न होने वाली और उस भारसाधन के, जिससे वह आय-कर सर्किल, वार्ड या जिला या रेंज या उसका भाग अन्तर्गत हुआ है, सहायक आय-कर आयुक्त (अपील) के समक्ष इस अधिसूचना की तारीख के ठीक पूर्व संबंधित अपीलें उस तारीख से जिस तारीख को यह अधिसूचना प्रभावी होती है, उस भारसाधन के, जिसको उक्त सर्किल, वार्ड या जिला या रेंज या उसका भाग अन्तर्गत हुआ है सहायक आयकर आयुक्त (अपील) को अन्तर्गत की जाएगी और उसके द्वारा उन पर कार्यवाही की जाएगी।

यह अधिसूचना 1-5-1979 से प्रभावी होगी।

[सं० 2818 (फा० सं० 261/16/78-आई टी जे)]

New Delhi, the 16th May, 1979

## INCOME-TAX

**S.O. 3393.**—In exercise of the powers conferred by sub-section (1) of Section 121A of the Income-tax Act, 1961 (43 of 1961) and in supersession of Notification No. 2604 (F. No. 261/16/78-ITJ) dated 28-11-78 the Central Board of Direct Taxes hereby directs that the Commissioners of Income-Tax (Appeals) of the charges specified in Column (1) of the Schedule below, shall perform their functions in respect of such persons assessed to Income-tax or Sur-tax or Interest Tax in the Income-tax Wards, Circles, Districts and Ranges specified in

the corresponding entries in column (2) and column (3) thereof as are aggrieved by any of the orders mentioned in clauses (a) to (h) of sub-section (2) of section 246 of the Income-tax Act, 1961, in sub-section (1) of Section 15 of the Interest Tax Act, 1974 (45 of 1974) and also in respect of such persons or classes of persons as the Board has directed or may direct in future in accordance with the provisions of clause (i) of sub-section (2) of Section 246 of the Income-tax Act, 1961.

## SCHEDULE

| Charge with Head-quarters                                   | Income-tax Wards & Circles   | Ranges of Inspecting Assistant Commissioner of Income-tax  |
|---|--|--|
| 1   | 2  | 3  |
| 1. Commissioner of Income-tax (Appeals) Rajasthan-I Jaipur  | All Wards/Circles at :<br>1. Jaipur excepting Central Circles, Jaipur.<br>2. Estate Duty-cum-Income-tax Circle, Jaipur.<br>3. Ajmer<br>4. Beawer<br>5. Kota<br>6. Bundi<br>7. Sawai Madhopur<br>8. Jhalawar<br>9. Sikar<br>10. Jhunjhunu<br>11. Udaipur<br>12. Chittorgarh<br>13. Bhilwara<br>14. Sirohi | 1. Inspecting Asstt. Commissioner of Income-tax, Range-I Jaipur.<br>2. Inspecting Asstt. Commissioner of Income tax, Range-II, Jaipur.<br>3. Inspecting Asstt. Commissioner of Income-tax (Asstt) Jaipur<br>4. Inspecting Asstt. Commissioner of Income tax, Udaipur Range, Udaipur.<br>5. Inspecting Asstt. Commissioner of Income-tax, Ajmer Range, Ajmer. |
| 2. Commissioner of Income-tax (Appeals) Rajasthan II Jaipur | All Wards/Circles at :<br>1. Central Circle, Jaipur<br>2. Estate, cum-Income tax Circle, Jodhpur<br>3. Jodhpur<br>4. Alwar<br>5. Bharatpur<br>6. Pali<br>7. Barmer<br>8. Jalore<br>9. Bikaner<br>10. Nagaur<br>11. Churu<br>12. Sriganganagar<br>13. Hanumangarh   | 1. Inspecting Asstt. Commissioner of Income tax, Range-I Jaipur.<br>2. Inspecting Asstt. Commissioner of Income tax, Jodhpur Range, Jodhpur<br>3. Inspecting Asstt. Commissioner of Income tax, Bikaner Range, Bikaner.  |

Whereas the Income-tax Circle, Ward or District or Range or part thereof stands transferred by this Notification from one charge to another charge, appeals arising out of the assessments made in that Income-tax Circle, Ward or District or Range or part thereof and pending immediately before the date of this notification before the Commissioner of Income-tax (Appeals) of the Charge from whom that Income-tax Circle Ward or District or Range or part thereof is transferred shall from the date of this

notification takes effect, be transferred to and dealt with by the Commissioner of Income-tax (Appeals) of the charge to whom the said Circle, Ward or District or Range or part thereof is transferred.

This notification shall take effect from 1-5-1979.

[No. 2818 (F. No. 261/16/78-ITJ)]

## आय-कर

क्रा० प्रा० 3394.—केंद्रीय प्रत्यक्ष कर बोर्ड, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 121क की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और सभी पूर्ववर्ती अधिसूचनाओं को अधि-क्रान्त करते हुए, निदेश देता है कि नीचे दी गई अनुसूची के स्तम्भ (1) में विनिर्दिष्ट भारसाधन करने वाले आय-कर आयुक्त (अपील), उनके स्तम्भ (2) और स्तम्भ (3) की सन्स्थाओं प्रविष्टियों में विनिर्दिष्ट आय-कर वार्डों, सर्किलों, जिलों और रेंजों में ऐसे व्यक्तियों के बारे में जिन पर आय-कर, अतिकर या व्याज-कर निर्धारित किया गया है, और जो आय-कर अधिनियम, 1961 की धारा 246 की उपधारा (2) के खण्ड (क) में (ज), कम्पनी (लाभ) अतिकर अधिनियम, 1964 (1964 का 7) की धारा 11 की उपधारा (1) और व्याज-कर अधिनियम, 1974 (1974 का 45) की धारा 15 की उपधारा (1) में वर्णित किसी आदेश से व्यक्त है और ऐसे व्यक्तियों या व्यक्ति वर्ग के बारे में भी, जिन के लिए बोर्ड ने आय-कर अधिनियम, 1961 की धारा 246 की उपधारा (2) के खण्ड (1) के उपबन्धों के अनुसार निदेश दिया है या भविष्य में निदेश दे, अपने कृत्यों का पालन करेंगे।

## अनुसूची

| भारसाधन और मुख्यालय           | आय-कर बोर्ड और सर्किल  | सहायक आय-कर (निरीक्षण) का रेंज   |
|-------------------------------|--|--|
| 1                             | 2  | 3  |
| आय-कर आयुक्त (अपील) चण्डीगढ़। | 1. सभी वार्ड/सर्किल जिनके अन्तर्गत आय-कर आयुक्त हरियाणा की अधिकारिता के भीतर सम्मदा शूल्क सर्किल भी है।<br>2. चण्डीगढ़ स्थित सभी वार्ड सर्किल (केंद्रीय सर्किल को छोड़कर)। | 1. आय-कर आयुक्त, हरियाणा की अधिकारिता के भीतर सभी रेंज।<br>2. स० प्रा० (नि०) रेंज, चण्डीगढ़।<br>3. स० प्रा० (नि०) (सहायक) रोहतक। |

यह अधिसूचना 7-5-1979 से प्रभावी होगी।

[स० 2819 (फा० सं० 261/4/78—आई० टी० जे०)]

## Income-Tax

S.O. 3394.—In exercise of the powers conferred by sub-section (1) and in supersession of all the previous notification of section 121A of the Income-tax, Act, 1961 (43 of 1961) the Central Board of Direct Taxes, hereby direct that the Commissioners of Income-tax (Appeals) of the charges specified in column (1) of the Schedule below, shall perform their functions in respect of such persons assessed to income-tax or surtax or interest-tax in the Income-tax Ward, Circle, Districts and Ranges specified in the corresponding entries in columns (2) and column (3) thereof as are aggrieved by any of the orders mentioned in clauses (a) to (h) of sub-section (2) of section 246 of the Income-tax Act, 1961, in sub-section (1) of Section II of Companies (Profits) Surtax Act, 1964, (7 of 1964), and in sub-section (1) of section 15 of the Interest tax Act, 1974 (45) of 1974) and also in respect of such persons or classes of persons as the Board has directed or may direct in future in accordance with the provisions of clause (i) of sub-section (2) of Section 246 of the Income-tax Act, 1961

## SCHEDULE

| Charges with Headquarters                       | Income-tax Wards and Circles   | Ranges of Inspecting Asstt. Commissioner of Income-tax.   |
|---|--|---|
| 1   | 2  | 3   |
| Commissioner of Income-tax (Appeals) Chandigarh | 1. All Wards/Circles including E.D. circles within the jurisdiction of Commissioner of Income-tax, Haryana.<br>2. All Wards/Circles (excepting Central Circle located at Chandigarh) | 1. All Ranges within the jurisdiction of Commissioner of Income-tax, Haryana<br>2. I.A.C. Range Chandigarh.<br>3. I.A.C. (Asstt.) Rohtak. |

This notification shall take effect from 7-5-1979

[2819 (F. No. 261/4/79-ITJ)]

का० प्रा० 3395 —केन्द्रीय प्रत्यक्ष कर बोर्ड, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 122 की उपधारा (1) द्वारा प्रदत्त शक्तियों और इस निमित्त उसे समर्थ बनाने वाली सभी अन्य शक्तियों का प्रयोग करने हुए, तथा बोर्ड की अधिसूचना सं० 2833 (फा० सं० 261/7/78-ग्राह टी जे), तारीख 7 जुलाई, 1978 का आशिक उपान्तरण करते हुए, निदेश देता है कि सीधे टी गार्ड अनुसूची के स्तम्भ (2) में विनिर्दिष्ट रेंज के सहायक आय-कर आयुक्त (अपील), ऐसे सभी व्यक्तियों और आयों को छोड़कर, जिनकी बाबत अधिकारिता आय-कर आयुक्त (अपील) में निहित है, अन्य सभी व्यक्तियों और आयों के सम्बन्ध में, जिन पर उसके स्तम्भ (2) की तत्सम्बन्धी प्रविष्टि में विनिर्दिष्ट आय-कर सकिंगो, वार्डों और जिलों में आय-कर निर्धारित किया गया है, अपने कृत्यों का पालन करेंगे।

## अनुसूची

| रेंज और मुख्यालय                             | आय-कर सकिंग, वार्ड और जिला   |
|--|--|
| (1)  | (2)  |
| सहायक आय-कर आयुक्त (अपील)<br>बी-रेंज, मुम्बई | 1. एम्स-वार्ड<br>2. मुम्बई प्रतिदाय सकिंग<br>3. न्याम सकिंग<br>4. वृत्तिक सकिंग<br>5. सम्पदा शुल्क सकिंग   |
| सहायक आय-कर आयुक्त (अपील)<br>ई-रेंज, मुम्बई  | 1. सी-IV वार्ड<br>2. सी-I वार्ड<br>3. डी-II वार्ड<br>4. सी-III वार्ड<br>5. सी-V वार्ड<br>6. वेतन शाखा-I<br>7. वेतन शाखा-II<br>8. एन० प्रार० प्रार० सी० |
| सहायक आय-कर आयुक्त (अपील) रेंज-जी, मुम्बई।   | 1. बी-I वार्ड<br>2. बी-II वार्ड<br>3. बी-III वार्ड<br>4. सी-II वार्ड<br>5. मार्फेट वार्ड<br>6. इवेक्स सकिंग I और II                                    |

जहां कोई आय-कर सकिंग, वार्ड या जिला या उसका भाग इस अधिसूचना द्वारा एक रेंज से किसी अन्य रेंज को अन्तर्गत हो जाता है, वह उस आय-कर सकिंग, वार्ड या जिले या उसके भाग में किए गए

निर्धारण से उत्पन्न होने वाली और उस रेंज के, जिससे वह आय-कर सकिंग, वार्ड या जिला या उसका भाग अन्तर्गत हुआ है, सहायक आयुक्त (अपील) के समक्ष इस अधिसूचना की तारीख के ठीक पूर्व लखित अपीलें उस तारीख में जिन तारीख का यह अधिसूचना प्रभावी होती है, उस रेंज के, जिसको उक्त सकिंग, वार्ड या जिला या उसका भाग अन्तर्गत हुआ है, सहायक आयुक्त (अपील) को अन्तर्गत की जाएगी और उसके द्वारा उन पर कार्यवाही की जाएगी।

यह अधिसूचना 7-5-1979 से प्रभावी होगी।

[सं० 2820 (फा० सं० 261/5/79 ग्राह टी जे)]

S.O. 3395.—In exercise of the powers conferred by sub-section (1) of Section 122 of the Income-tax Act, 1961 (43 of 1961) and of all other powers enabling it in that behalf and in partial modification of the Board's notification No. 2833 (F. No. 261/7/78-ITJ) dated 7th July, 1978 the Central Board of Direct Taxes hereby direct that the Appellate Assistant Commissioners of Income-tax of the Range specified in column (2) of the Schedule below shall perform their functions in respect of all persons and income assessed to income-tax or super-tax in the Income-tax Circles, Wards and Districts specified in the corresponding entry in column (2) thereof excluding all persons and income assessed, to income-tax over which the jurisdiction vests in Commissioner of Income-tax (Appeals).

## SCHEDULE

| Range with Headquarters  | Income-tax Circles, Wards and Districts.  |
|--|---|
| 1  | 2   |
| Appellate Assistant Commissioner of Income-tax, B. Range, Bombay | 1. X-Ward<br>2. Bombay Refund Circle<br>3. Trust Circle.<br>4. Professional Circle<br>5. Estate Duty Circle.                                |
| Appellate Assistant Commissioner of Income-tax E-Range, Bombay   | 1. C-IV Ward<br>2. D-I Ward<br>3. D-II Ward<br>4. C-III Ward<br>5. C-V Ward<br>6. Salaries Branch-I<br>7. Salaries Branch-II<br>8. N.R.R.C. |
| Appellate Assistant Commissioner of Income-tax, Range-G, Bombay  | 1. B-I Ward<br>2. B-II Ward<br>3. B-III Ward.<br>4. C-II Ward.<br>5. Market Ward,<br>6. Evaques Circles I and II                            |

Whereas the I.T. Circle, Ward or Dist. or part thereof stands transferred by this notification from one Range to another Range, appeals arising out of the assts. made in that I. T. Circle, Ward or Dist. or part thereof and pending immediately before the date of this Notification before the A.A.C. of the Range from whom that circle Ward or Dist. or part thereof is transferred shall from that date of this Notification takes effect be transferred to and dealt with by the Appellate Assistant Commissioner of the Range to whom the said Circle, Ward or District or part thereof is transferred

This Notification shall take effect from 7-5-1979.

[No. 2820 (F. No. 261/5/79-ITJ)]

| आय-कर  |  |                                  | (1)                       | (2)  | (3)                                    |
|--|--|----------------------------------|---------------------------|--|--|
| <p>क्रा० आ० 3396 केन्द्रीय प्रत्यक्ष कर बोर्ड, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 121क की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इसमें पड़ते जारी की गई अधिसूचना का आंशिक उपांतरण करने हुए, निवेश देना है कि नीचे दी गई अनुसूची के स्तम्भ (1) में विनिर्दिष्ट भारमाधन करने वाले आय-कर आयुक्त (अपील) उसके स्तम्भ (2) और स्तम्भ (3) की सम्स्थानी प्रविष्टियों में विनिर्दिष्ट आय-कर वार्डों, सफिलों, जिलों और रेंजों में ऐसे सभी व्यक्तियों के बारे में जिन पर आय-कर या अनिकर या ब्याज कर निर्धारित किया गया है और जो आय-कर अधिनियम, 1961 की धारा 246 की उपधारा (2) के खण्ड (क) से (ज), कम्पनी (नाम) अनिकर अधिनियम, 1964 (1964 का 7) की धारा 11 की उपधारा (1) और ब्याज-कर अधिनियम, 1974 (1974 का 45) की धारा 15 की उपधारा (1) में वर्णित किसी आदेश से व्यथित है और ऐसे व्यक्तियों या व्यक्ति वर्गों के बारे में भी, जिन के लिए बोर्ड ने आयकर अधिनियम, 1961 की धारा 246 की उपधारा (2) के खण्ड (1) के उपबन्धों के अनुसार निवेश दिया है या निवेश दे, अपने कृत्यों का पालन करेंगे।</p> |  |                                  |                           |  |  |
| अनुसूची  |  |                                  | आयुक्त (अपील) मधुरै       | (11) पोल्वाची सफिल (सभी खण्ड)                                      |  |
| भारमाधन और मुख्यालय  |  |                                  | आय-कर वार्ड, सफिल और जिला | सहायक आय-कर आयुक्त (निरीक्षण) की रेंज                              | (12) इरोड सफिल (सभी खण्ड)              |
| (1)  | (2)  | (3)                              |                           |  | (13) तिरुपुर सफिल।                     |
| आयुक्त (अपील) कोयम्बटूर  | (1) कम्पनी सफिल I, II, III, IV और V कोयम्बटूर।               | (1) रेंज-I, कोयम्बटूर।           |                           |  | (14) कम्पनी सफिल, सलेम।                |
|  | (2) नगर सफिल-I, कोयम्बटूर।                                   | (2) रेंज-II, कोयम्बटूर।          |                           |  | (15) सफिल-I, सलेम।                     |
|  | (3) नगर सफिल-II, कोयम्बटूर।                                  | (3) रेंज-III, कोयम्बटूर।         |                           |  | (16) सफिल-II, सलेम।                    |
|  | (4) विशेष सर्वेक्षण सफिल कोयम्बटूर (6-10-75 से होने नए सफिल) | (4) सलेम रेंज सलेम।              |                           |  | (17) सलेम सफिल।                        |
|  | (5) बेतन सफिल, कोयम्बटूर।                                    | (5) स० आ० (नि०) (निर्धारण) सलेम। |                           |  | (18) कृष्णगिरि सफिल।                   |
|  | (6) कोयम्बटूर सफिल।  |                                  |                           | (1) तिरुचिरा-पल्ली-सफिल  | (1) तिरुचिरापल्ली रेंज, तिरुचिरा-पल्ली |
|  | (7) सफिल-I, कोयम्बटूर।                                       |                                  |                           | (2) नगर सफिल-I, तिरुचिरा-पल्ली (सभी खण्ड)                          | (2) मधुरै रेंज, मधुरै।                 |
|  | (8) सफिल-II, कोयम्बटूर।                                      |                                  |                           | (3) नगर सफिल-II, तिरुचिरा-पल्ली (सभी खण्ड)                         | (3) तिरुनलवेली रेंज, तिरुनलवेली।       |
|  | (9) विशेष सर्वेक्षण सफिल, कोयम्बटूर (नस्कासीन सफिल)।         |                                  |                           | (4) कम्पनी सफिल, तिरुचिरा-पल्ली।                                   | (4) स० आ० नि० (निर्धारण) मधुरै।        |
|  | (10) ऊटोक्माण्ड सफिल (सभी खण्ड)                              |                                  |                           | (5) कन्नूर सफिल (सभी खण्ड)   |  |
|  |  |                                  |                           | (6) पुडैकोट्टूर सफिल (सभी खण्ड)                                    |  |
|  |  |                                  |                           | (7) कम्पनी सफिल, मधुरै।  |  |
|  |  |                                  |                           | (8) मधुरै सफिल।  |  |
|  |  |                                  |                           | (9) विशेष सफिल, मधुरै (2-12-74 से होने नए सफिल)                    |  |
|  |  |                                  |                           | (10) विशेष सर्वेक्षण सफिल, मधुरै।                                  |  |
|  |  |                                  |                           | (11) विशेष सफिल, मधुरै (एपीटी मामलों से निपटने वाला नस्कासीन सफिल) |  |
|  |  |                                  |                           | (12) डिडीगुल सफिल (सभी खण्ड)                                       |  |
|  |  |                                  |                           | (13) कराईकुडी सफिल (सभी खण्ड)                                      |  |

| 1 | 2                         | 3 | 1                               | 2   | 3                                       |
|---|---------------------------|---|---------------------------------|---|---|
|   | (14) रामानाथापुरम<br>मकिल |   |                                 | 12. Erode Circle (all sections)   |   |
|   | (15) तिरुक्कैवल्ल<br>मकिल |   |                                 | 13. Tiruppur Circle   |   |
|   | (16) नगेरकायल<br>मकिल     |   |                                 | 14. Companies Circle Salem  |   |
|   | (17) टुटी कोरिन<br>मकिल   |   |                                 | 15. Circle-I, Salem   |   |
|   | (18) विरुधुनगर<br>मकिल ।  |   |                                 | 16. Circle-II Salem   |   |
|   |                           |   |                                 | 17. Salem Circle  |   |
|   |                           |   |                                 | 18. Krishnagiri Circle  |   |
|   |                           |   | Commissioner (Appeals), Madurai | 1. Tiruchirapalli Circle  | 1. Tiruchirapalli Range, Tiruchirapalli |
|   |                           |   |                                 | 2. City Circle-I Tiruchirapalli (all sections)                          | 2. Madurai Range, Madurai               |
|   |                           |   |                                 | 3. City Circle-II, Tiruchirapalli (all sections)                        | 3. Tirunelveli Range Tirunelveli        |
|   |                           |   |                                 | 4. Companies Circle, Tiruchirapalli,                                    | 4. IAC (Assessment) Madurai.            |
|   |                           |   |                                 | 5. Karur Circle (all sections)  |   |
|   |                           |   |                                 | 6. Pudukottai Circle (all sections).                                    |   |
|   |                           |   |                                 | 7. Companies Circle, Madurai  |   |
|   |                           |   |                                 | 8. Madurai Circle   |   |
|   |                           |   |                                 | 9. Special Circle, Madurai (new circle formed with effect from 2-12-74) |   |
|   |                           |   |                                 | 10. Special Survey Circle, Madurai                                      |   |
|   |                           |   |                                 | 11. Special Circle, Madurai (erstwhile circle dealing with EPT cases)   |   |
|   |                           |   |                                 | 12. Dindigul Circle (all sections)                                      |   |
|   |                           |   |                                 | 13. Karaikudi Circle (all sections)                                     |   |
|   |                           |   |                                 | 14. Ramanathapuram Circle.  |   |
|   |                           |   |                                 | 15. Tirunelveli Circle  |   |
|   |                           |   |                                 | 16. Nagercoil Circle  |   |
|   |                           |   |                                 | 17. Tuticorin Circle  |   |
|   |                           |   |                                 | 18. Virudhunagar Circle.  |   |

यह अधिसूचना 1-2-79 से प्रभावी होगी ।

[सं० 2826 (फा० सं० 261/12/78-आई टी जे)]

### INCOME-TAX

**S O 3376**—In exercise of the powers conferred by sub-section (1) of section 121 A of the Income-tax Act, 1961 (43 of 1961) and in partial modification of the Notification issued earlier, the Central Board of Direct Taxes hereby directs that the Commissioner of Income-tax (appeals) of the charges specified in column (1) of the Schedule below; shall perform their functions in respect of such persons assessed to Income-tax or sur-tax or interest-tax in the Income-tax Wards Circles, District and Ranges specified in the corresponding entries in column (2) and column (3) thereof as are aggrieved by any of the order mentioned in clauses (a) to (h) of sub-section (2) of section 246 of the Income-tax Act, 1961, in sub-section (1) of section (ii) of Companies (Profits) Sur-tax Act, 1964 (7 of 1964), and in sub-section (1) of section 15 of the Interest Tax Act, 1974 (45 of 1974) and also in respect of such persons or classes of persons as the Board has directed or may direct in future in accordance with the provisions of clause (i) of sub-section (2) of section 246 of the Income-tax Act, 1961.

### SCHEDULE

| Charge with Headquarters            | Income-tax Wards/ Circles and districts  | Ranges of Inspecting Assistant Commissioners of Income-tax |
|-------------------------------------|--|--|
| 1                                   | 2  | 3  |
| Commissioner (Appeals), Coimbatore. | 1. Companies Circles I, II, III, IV & V, Coimbatore.                               | 1. Range-I, Coimbatore.                                    |
|                                     | 2. City Circle-I, Coimbatore.  | 2. Range-II, Coimbatore.                                   |
|                                     | 3. City Circle-II, Coimbatore.   | 3. Range-III, Coimbatore.                                  |
|                                     | 4. Special Survey Circle, Coimbatore (new circles formed with effect from 6-10-75) | 4. Salem Range, Salem.                                     |
|                                     | 5. Salaries Circle, Coimbatore.  | 5. IAC (Assessment) Salem.                                 |
|                                     | 6. Coimbatore Circle.  |  |
|                                     | 7. Circle-I, Coimbatore.   |  |
|                                     | 8. Circle-II, Coimbatore.  |  |
|                                     | 9. Special Survey Circles, Coimbatore (erstwhile circles)                          |  |
|                                     | 10. Ootacamund Circle (all sections).  |  |
|                                     | 11. Pollachi Circle (all sections)   |  |

This Notification will take effect from 1-2-1979.

[No. 2826 (F. No. 261/12/78-ITJ)]

नई दिल्ली, 2 जून, 1979

### सूचि-पत्र

क्र० सं० 3397.—महायुक्त आयुक्त (अपील), मुम्बई की अधिकांशता के लिए, केन्द्रीय प्रत्यक्ष कर बोर्ड की अधिसूचना सं० 2820 (261/5/79-आई टी जे) में,—

“यह अधिसूचना 7-5-79 से प्रभावी होगी” । के स्थान पर “यह अधिसूचना 23-4-79 से प्रभावी होगी ।” पढ़ें ।

[सं० 2844 (261/5/79-आई टी जे)]

एम० के० भटनगर, प्रवर सचिव

New Delhi, the 2nd June, 1979

### CORRIGENDUM

**S.O. 3397.**—In the Notification of the Central Board of Direct Taxes No. 2820 (261/5/79-ITJ) dated 16-5-79 for the jurisdiction of AAC, Bambay.

Read : This Notification shall take effect from 23-4-79.

For : This Notification shall take effect from 7-5-79.

[No. 2844 (261/5/79-ITJ)]

S. K. BHATNAGAR, Under Secy.



नई दिल्ली, 26 मई, 1979

## प्राय-कर

का० प्रा० 3398.—केन्द्रीय प्रत्यक्ष कर बोर्ड प्राय-कर अधिनियम, 1961 (1961 का 43) की धारा 121 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए समय समय पर यथा संशोधित अधिसूचना सं० 679 [फा० सं० 187/2/74-प्राई टो (ए प्राई)] तारीख 20-7-74 में निम्न-लिखित संशोधन करता है।

अनुसूची के क्रम संख्यांक 23क, 23ख, 23ग, 23ङ, 23च, 23छ, 23ठ और 23 ड के सामने स्तम्भ 1, 2 और 3 के नीचे की प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियाँ रखी जाएंगी।

| प्राय-कर प्रावृत्त   | मुख्यालय | अधिकारिता   |
|----------------------|----------|---|
| 1                    | 2        | 3   |
| 23क पश्चिमी बंगाल 2  | कलकत्ता  | 1. कम्पनी जिला-3<br>2. सहकारिता भवन सचिव<br>3. विशेष सचिव-1   |
| 23ख पश्चिमी बंगाल 3  | कलकत्ता  | 1. कम्पनी जिला-4<br>2. जिला 3(1)<br>3. विशेष सचिव-2   |
| 23ग पश्चिमी बंगाल 4  | कलकत्ता  | 1. कम्पनी जिला-2<br>2. जिला-8<br>3. सिनेमा सचिव<br>4. विशेष सचिव-3  |
| 23ङ पश्चिमी बंगाल 6  | कलकत्ता  | 1. जिला 3(3)<br>2. जिला 2(1)<br>3. विशेष सर्वेक्षण सचिव-4<br>4. जिला हावड़ा<br>5. विशेष सर्वेक्षण सचिव-9<br>6. विशेष सचिव-4   |
| 23च पश्चिमी बंगाल 7  | कलकत्ता  | 1. केन्द्रीय बेतन सचिव<br>2. जिला 3 क<br>3. जिला 5 क<br>4. रेलवे प्रकीर्ण बेतन सचिव<br>5. चार्टर्ड एकाउन्टेन्ट सचिव<br>6. प्रतिपाय सचिव<br>7. बीमा अधिकारी सचिव<br>8. न्यास सचिव<br>9. विशेष सचिव-5 |
| 23छ पश्चिमी बंगाल 8  | कलकत्ता  | 1. जिला 3(2)<br>2. जिला 2(2)<br>3. परियोजना सचिव<br>4. विशेष भ्रमण सचिव-6   |
| 23ज पश्चिमी बंगाल 9  | कलकत्ता  | 1. जिला 5(1)<br>2. जिला 5(2)<br>3. विशेष भ्रमण सचिव-3<br>4. विशेष सचिव-7  |
| 23ड पश्चिमी बंगाल 13 | कलकत्ता  | 1. मुनिवादाय<br>2. नादिया<br>3. विशेष सर्वेक्षण सचिव-8<br>4. कूच बिहार<br>5. दार्जिलिंग   |

6. जलपाई गूडी
7. विशेष सचिव सिलीगुडी
8. सिलीगुडी
9. पश्चिमी बंगालपुर मार्ग
10. विशेष सचिव-8

यह अधिसूचना 1 जून 1979 से प्रभावी होगी।

[सं० 2827 (फा० सं० 187/18/79 प्राई टो (ए प्राई))]

New Delhi, the 26th May, 1979.

## INCOME-TAX

S.O. 3398.—In exercise of the powers conferred by sub-section (1) of section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following amendments to the Notification No. 679[F. No. 187/2/74-IT (AI)] dated 20-7-74 as amended from time to time.

The entries under columns 1, 2 and 3 against Serial Nos. 23A, 23B, 23C, 23E, 23F, 23H and 23L of the Schedule shall be substituted by the following entries.

| Commissioner of Income-Tax     | Headquarter | Jurisdiction   |
|--------------------------------|-------------|--|
| 1                              | 2           | 3  |
| 23A. West Bengal, II,          | Calcutta    | 1. Companies District-III<br>2. Co-operative Housing Circle<br>3. Special Circle-I   |
| 23B West Bengal, III           | Calcutta    | 1. Companies District-IV<br>2. District-III (1)<br>3. Special Circle-II  |
| 23C West Bengal IV, Calcutta   |             | 1. Companies District-II<br>2. District-VIII<br>3. Cinema Circle<br>4. Special Circle-III  |
| 23D West Bengal, VI, Calcutta  |             | 1. District-III(3)<br>2. District-II(1)<br>3. Special Survey Circle-IV<br>4. District-Howrah<br>5. Special Survey Circle-IX<br>6. Special Circle-IV  |
| 23F West Bengal, VII, Calcutta |             | 1. Central Salaries Circle<br>2. District-III A<br>3. District-VA<br>4. Railway Misc. Salaries Circle.<br>5. Chartered Accountants Circle.<br>6. Refund Circle<br>7. Insurance Agents Circles.<br>8. Trust Circle<br>9. Special Circle-V |
| 23G West Bengal, Calcutta VIII |             | 1. District-III (2)<br>2. District-II(2)<br>3. Project Circle<br>Special Circle-VI   |
| 23H West Bengal-Calcutta IX    |             | 1. District V(1)<br>2. District V(2)<br>3. Special Inv   |

| 1                              | 2 | 3                             |
|--------------------------------|---|-------------------------------|
|                                |   | gation Circle-III             |
| 23L West Bengal- Calcutta XIII |   | 4. Special Circle-VII         |
|                                |   | 1. Marhsidabad                |
|                                |   | 2. Nadia                      |
|                                |   | 3. Special Survey Circle-VIII |
|                                |   | 4. Cooch Behar                |
|                                |   | 5. Darjeeling                 |
|                                |   | 6. Jalpaiguri                 |
|                                |   | 7. Special Circle, Siliguri   |
|                                |   | 8. Siliguri                   |
|                                |   | 9. West Dinajpur Maldah       |
|                                |   | 10. Special Circle-VIII       |

This notification shall take effect from 1st June, 1979

[No. 2827 F.No. 187/18/79-IT-AI]

नई दिल्ली, 31 मई, 1979

आय-कर

क्रा० प्रा० 3399.—केन्द्रीय प्रत्यक्ष कर बोर्ड आय-कर अधिनियम, 1961 (1961 का 43) की धारा 121 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, समय-समय पर यथा संशोधित अधिसूचना क्र० 679 (फा० सं० 187/2/74-प्रा० क्र० ए1) तारीख 20 जुलाई, 1974 में निम्नलिखित संशोधन करता है अर्थात् :—

क्रम सं० 19 और 22 के सामने स्वम्भ 1, 2 और 3 के नीचे विद्यमान प्रविष्टियों के स्थान पर निम्नलिखित रखा जाएगा :

| आय-कर आयुक्त | प्रधान कार्यालय | अधिकारिता   |
|--------------|-----------------|---|
| 1            | 2               | 3   |
| 19B नासिक    | नासिक           | 1. औरंगाबाद<br>2. और<br>3. हुले<br>4. जलगाव<br>5. मेलेगाव<br>6. नांदेड<br>7. नासिक<br>8. उस्मानाबाद<br>9. परभानी                            |
| 22. बिबर्हा  | नागपुर          | 1. नागपुर<br>2. चन्द्रपुर<br>3. येटमाल<br>4. अकोला<br>5. भण्डारा<br>6. अमरावती<br>7. वर्धा<br>8. बुलधाना<br>9. नागपुर स्थित केन्द्रीय सर्कल |

यह अधिसूचना 1-6-79 में प्रकाशी होगी।

[सं० 2841/फा० सं० 187/13/78-प्रा० क्र० (ए1)]

New Delhi, the 31st May, 1979

INCOME-TAX

S.O. 3399—In exercise of the powers conferred by sub-section (1) of Section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following

amendments to the Notification No. 679 [F. No. 187/2/74-I (AI)] dated 20th July, 1974 as amended from time to time.

Existing entries under columns 1, 2 and 3 against Sl. No. 19B and 22 shall be substituted by the following :

| Commissioner of Income-tax | Headquarters | Jurisdiction   |
|----------------------------|--------------|--|
| 1                          | 2            | 3  |
| 19B Nasik                  | Nasik        | 1. Aurangabad<br>2. Bhir<br>3. Dhule<br>4. Jalgaon<br>5. Melegaon<br>6. Nanded<br>7. Nasik<br>8. Osmanabad<br>9. Parbhani                      |
| 22 Vidarbha                | Nagpur       | 1. Nagpur<br>2. Chandrapur<br>3. Yeotmal<br>4. Akola<br>5. Bhandara<br>6. Amravati<br>7. Wardha<br>8. Buldhana<br>9. Central Circles at Nagpur |

This notification shall take effect from 1-6-79.

[No. 2841 (F. No. 187/13/78-IT/AI)]

नई दिल्ली, 19 जून 1979

क्रा० प्रा० 3400.—केन्द्रीय प्रत्यक्ष कर बोर्ड आय-कर अधिनियम, 1961 (1961 का 43) की धारा 121 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और पूर्ववर्ती अधिसूचना सं० 674 (फा० सं० 187/2/74-II ए प्राई) तारीख 20 जुलाई, 1974 का आंशिक उपान्तरण करते हुए निदेश देता है कि,

उक्त अधिसूचना की क्रम संख्या 15क (म० प्र० II) के सामने स्वम्भ 3 में वर्णित प्रविष्टि सं० 23 के पश्चात् निम्नलिखित जोड़ा जाएगा,

24 आयकर अधिकारी,  
विशेष अन्वेषण सर्किल I

रायपुर

25 आयकर अधिकारी,  
विशेष अन्वेषण सर्किल I

जबलपुर

[सं० 2887/फा० सं० 187/24/79-प्राई० टी० ए प्राई]]

New Delhi, the 19th June, 1979

S.O. 3400.—In exercise of the powers conferred by sub-section (1) of Section 121 of the Income-tax Act, 1961 (43 of 1961) and in partial modification of its previous Notification No. 674 (F. No. 187/2/74-II AI) dated 20th July, 1974 the Central Board of Direct Taxes, New Delhi hereby directs that :

after the entry No. 23 appearing in column No. 3 against S. No. 15A (MP.II) of the above Notification the following shall be added :

No. 24 Income-tax Officer, Special Investigation Circle I, Raipur.

No. 25 Income-tax Officer, Special Investigation Circle-I, Jabalpur.

[No. 2887/F. No. 187/24/79-IT (AT)]

नई दिल्ली, 25 जून, 1979

## घाय-कर

का० प्रा० 3401.—घाय-कर अधिनियम, 1961 (1961 का 43) की धारा 121 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय प्रत्यक्ष कर बोर्ड अपनी समय-समय पर यथा संशोधित अधिसूचना सं० 679 (फा० सं० 187/2/74-प्रा० क० ए1) तारीख 20 जुलाई, 1974 से उपाबद्ध अनुसूची में निम्नलिखित संशोधन करता है—

कम सं० 2 आन्ध्र प्रदेश-I के सामने स्तंभ 3 के नीचे निम्नलिखित जोड़ा जाएगा :

“19 विशेष अन्वेषण सर्किल हैदराबाद”।

कम सं० 2क आन्ध्र प्रदेश-II के सामने स्तंभ 3 के नीचे निम्नलिखित जोड़ा जाएगा :—

“14 विशेष अन्वेषण सर्किल गुन्तूर”।

यह अधिसूचना 2-7-79 से प्रवृत्त होगी।

[सं० 2891 (फा० सं० 187/23/79-प्राई० टी० ए1)]

जे० पी० शर्मा, निदेशक

New Delhi, the 25th June, 1979

## INCOME-TAX

S.O. 3401.—In exercise of the powers conferred by sub-section (1) of Section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following amendments to the Schedule appended to its Notification No. 679 (F. No. 187/2/74-IT AI) dated 20th July, 1974 as amended from time to time :—

Against S. No. 2, Andhra Pradesh-I the following shall be added under column 3 :—

“19. Special Investigation Circle, Hyderabad.”

Against S1. No. 2A, Andhra Pradesh-II, the following shall be added under Column 3 :—

“14. Special Investigation Circle, Guntur”.

This Notification shall take effect from 2-7-79.

[No. 2891 (F. No. 187/23/79-IT AI)]

I. P. SHARMA, Director

नई दिल्ली, 20 जुलाई, 1979

## घाय-कर

का० प्रा० 3402.—केन्द्रीय प्रत्यक्ष कर बोर्ड] घाय-कर अधिनियम, 1961 (1961 का 43) की धारा 121 की उपधारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए समय-समय पर यथा संशोधित अधिसूचना सं० 679 (फा० सं० 187/2/74-प्राई० टी० ए० प्राई) तारीख 20 जुलाई, 1974 में निम्नलिखित संशोधन करता है अर्थात्—

2. स्तम्भ (1), (2) और (3) के नीचे विद्यमान प्रविष्टियों के ध्यान पर निम्नलिखित प्रविष्टियाँ रखी जाएंगी अर्थात्—

| घायकर आयुक्त | मुख्यालय | अधिकारिता   |
|--------------|----------|---|
| 1            | 2        | 3   |
| सखनऊ         | सखनऊ     | 1. संपदा कर तथा घाय-कर मकिल, सखनऊ<br>2 मकिल 1, सखनऊ<br>3 मकिल, 2, सखनऊ<br>4 वेतन मकिल, सखनऊ<br>5 धलमोड़ा<br>6 बाराबंकी<br>7 बरेली<br>8 बिजनौर<br>9 बदायूं |

1 2 3

10. खन्दीभी
11. हर्दोई
12. हलद्वानी
13. काशीपुर
14. लखीमपुर खेरी
15. मुराबाबाद
16. नैनीताल
17. नजीबाबाद
18. पीलीभीत
19. पिथौरागढ़
20. रामपुर
21. राय-बरेली
22. सम्भल
23. शाहजहापुर
24. सीतापुर
25. उन्नाव

यह अधिसूचना 1-8-1979 से प्रभावी होगी।

[सं० 2943 (फा० सं० 189/8/79-प्राई० टी० ए० प्राई)]

New Delhi, the 20th July, 1979

## INCOME-TAX

S.O. 3402.—In exercise of the powers conferred by sub-section (i) of section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following amendments to the Notification No. 679 (F. No. 187/2/74-ITAI) dated 20th July, 1974 as amended from time to time.

2. Existing entries under columns (1), (2) & (3), shall be substituted by the following entries.—

| Commissioner of Income-tax | Headquarters | Jurisdiction  |
|----------------------------|--------------|---|
| 1                          | 2            | 3   |
| Lucknow                    | Lucknow      | 1 Estate Duty-cum-Income tax, Circle, Lucknow.<br>2. Circle-I, Lucknow<br>3. Circle-II, Lucknow<br>4. Salary Circle, Lucknow.<br>5. Almora.<br>6. Barabandki<br>7. Bareilly.<br>8. Bijnor<br>9. Badaun<br>10. Chandausi<br>11. Hardoi<br>12. Haldwani<br>13. Kashipur<br>14. Lakhimpur-Kheri<br>15. Moradabad<br>16. Nainital<br>17. Najibabad.<br>18. Pilibhit<br>19. Pithoragarh<br>20. Rampur<br>21. Rai-Bareilly<br>22. Sambhal<br>23. Shahjahanpur<br>24. Sitapur<br>25. Unnao |

This notification shall take effect from 1-8-79.

[No. 2943 (F. No. 189/8/79-IT AI)]

## आय-कर

क्रा० प्रा० 3403.—केन्द्रीय प्रत्यक्ष कर बोर्ड, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 121-क की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, समय समय पर यथा संगोष्ठित अपनी अधिसूचना सं० 679 (फा० सं० 187/2/74-आई० टी० ए० आई०) तारीख 20 जुलाई, 1974 से संलग्न अनुसूची में निम्नलिखित संगोष्ठन करता है, यथातः—

क्रम संख्याक 21-ग के सामने स्तंभ (1), (2) और (3) के नीचे विद्यमान प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियाँ रखी जाएंगी, यथातः—

1. कम्पनी सर्किल, तिरुचिरापल्ली
2. नगर सर्किल 1, तिरुचिरापल्ली
3. नगर सर्किल 2, तिरुचिरापल्ली
4. कर्नूर सर्किल
5. पुदुकोटई सर्किल
6. वेतन सर्किल 1, मद्रास
7. वेतन सर्किल 2, मद्रास
8. प्रतिदाय सर्किल, मद्रास
9. नगर सर्किल 5, मद्रास
10. नगर सर्किल-6, मद्रास
11. विशेष अन्वेषण सर्किल-3, मद्रास

यह अधिसूचना 1-8-1979 से प्रभावी होगी।

[सं० 2942 (फा० सं० 187/25/79-आई० टी० ए० आई०)]

## INCOME-TAX

S.O. 3403.—In exercise of the powers conferred by sub-section (1) of Section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following amendments to the schedule appended to its Notification No. 679 (F. No. 187/2/74-ITAI) dated 20th July, 1974 as amended from time to time:—

Existing entries under columns (1), (2) and (3) against S. No. 21C shall be substituted by the following entries:—

1. Company Circle, Tiruchirapali
2. City Circle-I, Tiruchirapalli
3. City Circle-II, Tiruchirapalli
4. Karur Circle
5. Pudukotai Circle
6. Salaries Circle-I, Madras.
7. Salaries Circle-II, Madras.
8. Refund Circle, Madras.
9. City Circle-V, Madras.
10. City Circle-VI, Madras.
11. Special Investigation Circle-III, Madras.

This notification shall take effect from 1-8-1979.

[No. 2942 (F. No. 187/25/79-IT AI)]

नई दिल्ली, 4 अगस्त, 1979

## आय-कर

क्रा० प्रा० 3404.—केन्द्रीय प्रत्यक्ष कर बोर्ड, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 121 की उपधारा (1) द्वारा प्रवृत्त

शक्तियों का प्रयोग करते हुए, समय समय पर यथा संगोष्ठित अधिसूचना सं० 679 (फा० सं० 187/2/74-फा० क० (ए 1), तारीख 20-7-74 से संलग्न अनुसूची में निम्नलिखित संगोष्ठन करना है।

1 क्रम सं० 2, 2क और 2ख के सामने स्तंभ (1), (2) और (3) के अधीन विद्यमान प्रविष्टियों के स्थान पर, निम्नलिखित प्रविष्टियाँ रखी जाएंगी।

| आयकर प्रायुक्त     | मुख्यालय | अधिकार क्षेत्र   |
|--------------------|----------|--|
| 1                  | 2        | 3  |
| 2 आंध्र प्रदेश-I   | हैदराबाद | 1. सर्किल 1, हैदराबाद<br>2. गुन्टूर सर्किल, गुन्टूर<br>3. कम्पनी सर्किल, हैदराबाद<br>4. वेतन सर्किल, हैदराबाद<br>5. श्रीकाकुलम सर्किल, श्रीकाकुलम<br>6. विजियानगरम् सर्किल, विजियानगरम्<br>7. विशाखापट्टनम सर्किल, विशाखापट्टनम<br>8. अकापल्ली सर्किल, अकापल्ली<br>9. राजामुन्डी सर्किल, राजामुन्डी<br>10. विशेष अन्वेषण सर्किल, गुन्टूर   |
| 2क आंध्र प्रदेश II | हैदराबाद | 1. सर्किल-4, हैदराबाद<br>2. निजामाबाद सर्किल, निजामाबाद<br>3. निर्मल सर्किल, निर्मल<br>4. संगरेडिठ सर्किल, संगरेडिठ<br>5. नलगोंडा सर्किल, नलगोंडा<br>6. करीमनगर सर्किल, करीमनगर<br>7. सं० शु० और आयकर सर्किल, हैदराबाद<br>8. सं० शु० और आयकर सर्किल, काकीनाडा<br>9. सं० शु० और आयकर सर्किल, गुन्टूर<br>10. सं० 26 और आयकर सर्किल, अनन्तपुरम्<br>11. काकीनाडा, सर्किल I, काकीनाडा<br>12. काकीनाडा, सर्किल II, काकीनाडा<br>13. अमलापुरम् सर्किल, अमलापुरम्<br>14. तनुकु सर्किल, तनुकु<br>15. पालाकोल, सर्किल, पालाकोल<br>16. भीमावरम् सर्किल, भीमावरम्<br>17. अनन्तपुरम् सर्किल, अनन्तपुरम्<br>18. हिल्सपुर सर्किल, हिल्सपुर<br>19. कडपा सर्किल, कडपा<br>20. प्रोद्धारदूर सर्किल, प्रोद्धारदूर<br>21. आदोनी सर्किल, आदोनी<br>22. नंद्याल सर्किल, नंद्याल<br>23. करनूल सर्किल, करनूल<br>24. महबूब नगर सर्किल, महबूब-नगर<br>25. विशेष अन्वेषण सर्किल, हैदराबाद |

| 1  | 2            | 3   | 1                      | 2         | 3   |
|--|--------------|---|------------------------|-----------|---|
| 2ख आंध्र प्रदेश -III   | हैदराबाद     | 1. सर्किल-II, हैदराबाद<br>2. सर्किल-III, हैदराबाद<br>3. बरगल सर्किल, बरगल<br>4. खम्मम् सर्किल, खम्मम्<br>5. विजयवाड़ा सर्किल, विजयवाड़ा<br>6. एलूरु सर्किल, एलूरु<br>7. मछलीपट्टनम् सर्किल, मछली-पट्टनम्<br>8. गुडीवाड़ा सर्किल, गुडीवाड़ा<br>9. तेनाली सर्किल, तेनाली<br>10. नेल्लोर सर्किल, नेल्लोर<br>11. प्रंगोल सर्किल, प्रंगोल<br>12. बापट्ला सर्किल, बापट्ला<br>13. तिरुपति सर्किल, तिरुपति<br>14. चित्तूर सर्किल, चित्तूर |                        |           | 4. Sangareddy Circle, Sangareddy.<br>5. Nalgonda Circle, Nalgonda.<br>6. Karimnagar Circle, Karimnagar.<br>7. ED-cum-Income-tax Circle, Hyderabad.<br>8. ED-cum-Income-tax Circle, Kakinada.<br>9. ED-cum-Income-tax Circle, Guntur<br>10. ED-cum-Income-tax Circle, Anantapur<br>11. Kakinada Circle I, Kakinada.<br>12. Kakinada Circle II, Kakinada.<br>13. Amalapuram Circle, Amalapuram.<br>14. Tanuku Circle, Tanuku.<br>15. Palacole Circle, Palacole.<br>16. Bhimavaram Circle, Bhimavaram.<br>17. Anantapur Circle, Anantapur.<br>18. Hindupur Circle, Hindupur.<br>19. Cuddapah Circle, Cuddapah.<br>20. Proddatur Circle, Proddatur.<br>21. Adoni Circle, Adoni<br>22. Nandyal Circle, Nandyal.<br>23. Kurnool Circle, Kurnool.<br>24. Mahaboobnagar Circle, Mahaboobnagar.<br>25. Special Inv. Circle, Hyderabad. |
| यह अधिसूचना तारीख 16-8-79 को प्रवृत्त होगी।<br>[सं० 2964 (फा० सं० 187/23/79 आ० का० ए० 1)]  |              |   |                        |           |   |
| New Delhi, the 4th August, 1979  |              |   |                        |           |   |
| INCOME-TAX   |              |   |                        |           |   |
| S.O.3404—In exercise of the powers conferred by sub-section (1) of Section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following amendments to the Schedule appended to its Notification No. 679 (F. No. 187/2/74-JT AI) dated 20-7-74, as amended from time to time. |              |   |                        |           |   |
| 1. Existing entries under column (1), (2) and (3) against Sl. No. 2, 2A and 2B shall be substituted by the following entries:  |              |   |                        |           |   |
| Income-tax Commissioner  | Headquarters | Jurisdiction  |                        |           |   |
| 1  | 2            | 3   |                        |           |   |
| 2. Andhra Pradesh-I  | Hyderabad.   | 1. Circle-I, Hyderabad.<br>2. Guntur Circle, Guntur.<br>3. Company Circle, Hyderabad.<br>4. Salary Circle, Hyderabad<br>5. Srikakulam Circle Srikakulam<br>6. Vizianagaram Circle, Vizianagaram<br>7. Vizakhapatnam Circle, Visakhapatnam<br>8. Anakapalli, Circle, Anakapalli.<br>9. Rajahmundry circle, Rajahmundry<br>10. Special Inv. Circle, Guntur  | 2B. Andhra Pradesh-III | Hyderabad | 1. Circle-II, Hyderabad.<br>2. Circle-III, Hyderabad.<br>3. Warangal Circle, Warangal.<br>4. Khammam Circle, Khammam.<br>5. Vijayawada Circle Vijayawada.<br>6. Fluru Circle, Eluru<br>7. Machilipatnam Circle, Machilipatnam.<br>8. Gudivada Circle, Gudivada.<br>9. Tenali Circle, Tenali.  |
| 2A. Andhra Pradesh-II  | Hyderabad    | 1. Circle-IV, Hyderabad.<br>2. Nizamabad Circle, Nizamabad.<br>3. Nirmal Circle, Nirmal.  |                        |           |   |

| 1 | 2 | 3                                  | New Delhi, the 6th August, 1979<br>(INCOME TAX)  |
|---|---|------------------------------------|--|
|   |   | 10. Nellore Circle,<br>Nellore.    | S.O. 3405.—In exercise of the powers conferred by sub-section (1) of Section 121 of the Income-tax Act, 1961 (43 of 1961) and the Central Board of Direct Taxes cancels its Notification No. 2887 (F. No. 187/24/79-IT(AI), dated 19th June, 1979<br>[No. 2965 (F. No. 187/24/79-IT AI)]<br>B. M. SINGH, Under Secy. |
|   |   | 11. Ongole Circle,<br>Ongole.      |  |
|   |   | 12. Bapatla Circle,<br>Bapatla.    |  |
|   |   | 13. Tirupathi Circle<br>Tirupathi. |  |
|   |   | 14. Chittoor Circle,<br>Chittoor.  |  |

2. This notification shall have effect from 16-8-79.

[No. 2964 (F. No. 187/23/79-IT (AI))]

नई दिल्ली, 6 अगस्त 1979

(घाय-कर)

क्रा० धा० 3405.—केन्द्रीय प्रत्यक्ष कर बोर्ड, घाय-कर अधिनियम, 1961 (1961 का 43) की धारा 121 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, अपनी अधिसूचना सं० 2887 फा० सं० 187/24/79-आई टी (ए 1), तारीख 19-6-79 को रद्द करता है।

[सं० 2965 फा० सं० 187/24/79-आई टी (ए1)]

बी० एम० सिंह, अवर सचिव

फार्म

दैनिक उत्पादन लेखा

(उन विनिर्माताओं के लिए जिन्हें केन्द्रीय उत्पाद शुल्क माइसेंस नहीं देना है)

(नियम 53 और 153 जी)

मात्रा का विवरण. ....

| दिनांक | प्रथम श्रेय |       | विनिर्मित |       | की गई निकासी |       | द्वितीय श्रेय |       | निर्मित बितरण-खालानों/<br>बिलों/बीजकों का<br>क्रमिक | विनिर्माता या उसके<br>प्राधिकृत एजेंट के<br>हस्ताक्षर | अभ्युक्ति |
|--------|-------------|-------|-----------|-------|--------------|-------|---------------|-------|---|---|-----------|
|        | मात्रा      | मूल्य | मात्रा    | मूल्य | मात्रा       | मूल्य | मात्रा        | मूल्य |   |   |           |
| 1      | 2           | 3     | 4         | 5     | 6            | 7     | 8             | 9     | 10  | 11  | 12        |

### CENTRAL EXCISE COLECTOR, KANPUR

Kanpur, the 27th August, 1979

S.O. 3406.—In exercise of the powers conferred on me by Rule 233 of the Central Excise Rules, 1944, I hereby direct that all manufacturers of excisable goods in Kanpur Collectorate who are exempted from taking out a Central Excise Licence in terms of Rule 174A of the Central Excise Rules, 1944, will maintain a simple record of production and clearance in the form enclosed. They need not maintain this record in case they are maintaining some account of production and clearance for their own purpose which gives the re-

quired information in an easily intelligible manner. Further, clearance of goods shall be made by them on serially numbered delivery challans/bills/invoices or other relevant documents. These may be the manufacturer's own documents and should also bear the code number allotted to them by the Assistant Collector (Preventive) of Central Excise Hdqrs Office, Kanpur.

[Notification No. 4/79/C. No. V-All Excises

30(151)/T/V/79/2697

K. L. REKHI, Collector

### FORM

#### Daily Production Account

(For Manufacturers who are Exempted from taking out a Central Excise Licence)

(Rules 53 & 173-G)

| Description of Goods ..... |                 |       |              |       |         |       |                 |       |  |   |              |
|----------------------------|-----------------|-------|--------------|-------|---------|-------|-----------------|-------|--|---|--------------|
| Date                       | Opening Balance |       | Manufactured |       | Cleared |       | Closing Balance |       | Serial Nos.<br>of Delivery<br>Challans/<br>Bills/<br>Invoices<br>Issued. | Signature of<br>Manufacturer or his<br>Authorised<br>Agent. | Re-<br>marks |
|                            | Qty.            | Value | Qty.         | Value | Qty.    | Value | Qty.            | Value |  |   |              |
| 1                          | 2               | 3     | 4            | 5     | 6       | 7     | 8               | 9     | 10   | 11  | 12           |

## गृह मन्त्रालय

## (कार्मिक और प्रशासनिक सुधार विभाग)

नई दिल्ली, 4 अक्टूबर, 1979

सा.आ.3407.—दण्ड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 24 की उप-धारा (8) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, भारत के किसी भी राज्य या मघ-शासित क्षेत्र जिसमें उपरोक्त धारा के उपबन्ध लागू होते हैं, में कानून द्वारा स्थापित एनरीक्षण या अपीलीय न्यायालयों में दिल्ली विशेष पुलिस स्थापना द्वारा दायर न्यायालयों में दायर किए गए मामलों तथा अपीलों, एनरीक्षणों या इन मामलों से उत्पन्न अन्य विषयों के संचालन के लिए केन्द्रीय अन्वेषण द्यूरो के सर्वश्री राजेन्द्र लाल, एन. एस. माथुर, आर. जी. गुलाबानी, पी. एन. नम्बिसन, एम. पी. सिंह और एम. सी. अंग्रीश, विधि उप-मलाहकारों को विशेष लोक-अभियोजक के रूप में नियुक्त करती है।

[संख्या 225/30/79-ए जी डी.-1।]

टी. के. सुब्रमनियन, अवर सचिव

## MINISTRY OF HOME AFFAIRS

(Department of Personnel &amp; Administrative Reforms)

New Delhi, the 4th October, 1979

S.O. 3407.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby appoints Sarvashri Rajinder Lal, N. S. Mathur, R. G. Gulabani, P. N. Nambisan, M. P. Singh and S. C. Angrish, Deputy Legal Advisers in the Central Bureau of Investigation as Special Public Prosecutors for the conduct of cases instituted by the Delhi Special Police Establishment in trial courts, and appeals, revisions or other matters arising out of these cases in revisional or appellate courts, established by law in any State or Union Territory of India to which the provisions of the aforesaid section apply.

[No. 225/30/79-AVD. II]

T. K. SUBRAMANIAN, Under Secy.

## बाणिज्य तथा नागरिक पूर्ति मंत्रालय

(बाणिज्य विभाग)

नई दिल्ली, 13 सितम्बर, 1979

का० आ० 3408.—भारतीय व्यापार मेला प्राधिकरण, नई दिल्ली की संस्था अंतर्गत नियमावली के नियम 59 (2) के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए राष्ट्रपति निम्नलिखित व्यक्तियों को इस अधिसूचना जारी होने की तारीख से आगामी आदेश होने तक भारतीय व्यापार मेला प्राधिकरण के धनकारिक निदेशकों के रूप में नियुक्त करते हैं:—

| नाम                        | पद नाम                                      |
|----------------------------|---|
| 1. श्री एस. पी. गुगनानी    | अवर सचिव तथा वित्तीय गलाहकार, बाणिज्य विभाग |
| 2. श्री जी. के. भट्टाचारजी | संयुक्त सचिव, सूचना तथा प्रसारण मंत्रालय    |

[क्रम सं. 3/79 (1)/1/77-टी. एफ.]

गिरीश भुसे, निदेशक

## MINISTRY OF COMMERCE AND CIVIL SUPPLIES

(Department of Commerce)

New Delhi, the 13th September, 1979

S.O. 3408.—In exercise of the powers conferred under articles 59(2) of the Articles of Association of the Trade Fair, Authority of India, New Delhi, the President is pleased to appoint the following persons as part-time Directors of the Trade Fair Authority of India from the date of issue of this notification until further orders.

| Name                        | Designation   |
|-----------------------------|---|
| 1. Shri S. P. Gugnani       | Additional Secretary & Financial Adviser, Department of Commerce. |
| 2. Shri G. K. Bhattacharjee | Joint Secretary, Ministry of Information and Broadcasting.        |

[S. No. 3/79/1/1/77-TF)]

G IRISH DHUME, Director.

(नागरिक पूर्ति विभाग)

नई दिल्ली, 14 सितम्बर, 1979

का० आ० 3409.—केन्द्रीय सरकार राजभाषा (संघ के शासकीय प्रयोजनों के लिये प्रयोग) नियम, 1976 के नियम 10 के उपनियम 4 के अनुसरण में निम्नलिखित कार्यालयों को, जिनके कमबारी बूंद ने हिन्दी का कार्य साधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है:—

- वनस्पति, वनस्पति तेल तथा वसा निवेशालय नई दिल्ली
- भारतीय मानक संस्था, नई दिल्ली।

[सं० ई-110012(2)-79-हिन्दी]

मोहन लाल जाटव, अवर सचिव

(Department of Civil Supplies)

New Delhi, the 14th September, 1979

S.O. 3409.—In pursuance of sub-rule (4) of rule 10 of the Official Language (Use for Official purposes of the Union) Rules, 1976, the Central Government hereby notifies the following Offices, the staff whereof have acquired the working knowledge of Hindi:—

- Directorate of Vanaspati, Vegetable Oil and Fats New Delhi.
- Indian Standard Institution, New Delhi.

[No. E-11012(27)/79-Hindi]

M. L. JATAV, Under Secy.

मुख्य निबंधक आयात निर्यात का कार्यालय

आदेश

नई दिल्ली, 19 सितम्बर 1979

का० आ० 3410.—सर्वश्री ब्रेक्स इण्डिया लि० 37, माउण्ट रोड, मद्रास को आई सी आई सी आई/कृष्ण के अंतर्गत एक नया इन्डिया ब्रेक डायनोमीटर भ्रमपंथी और फालतू पुर्जे सहित का आयात करने के लिए 46, 07,774/-रुपए (छियालीस लाख सात हजार सात सौ चौहत्तर रुपए मात्र) के लिए एक आयात लाइसेंस संख्या पी/सीजी/ 2072646/एस/डब्ल्यू पी 65/एच०/76, दिनांक 15-10-77 प्रदान किया गया था। फर्म ने उप-युक्त लाइसेंस की सीमा शुल्क प्रयोजन प्रति की अनुमिति प्रति जारी करने के लिए इस आधार पर आवेदन किया है कि लाइसेंस की मूल सीमा शुल्क प्रयोजन प्रति खो गई या अस्थायी हो गई है। आगे यह भी बताया गया है कि लाइसेंस की सीमा शुल्क प्रयोजन प्रति किसी भी सीमा शुल्क प्राधिकारी के पास पंजीकृत नहीं की और इस वजह से सीमा शुल्क प्रयोजन प्रति के मूल्य का बिल्कुल उपयोग नहीं किया गया।

अपने तर्कों के समर्थन में, लाइसेंसधारी ने नोटरी पब्लिक मद्रास के सामने विधिवत गण्य लेकर स्टाम्प कागज पर एक शपथपत्र दाखिल किया है। मैं तदनुसार संतुष्ट हूँ कि आयात लाइसेंस संख्या पी०/सी० जी०/ 2072646/एम०/ डब्ल्यू० पी०/65/ एच०/ 76 दिनांक 15-10-77 की मूल सीमा शुल्क प्रयोजन प्रति फर्म द्वारा खी गई/अस्थानस्थ हों गई है यथा संशोधित आयात (नियंत्रण) आदेश, 1955 दिनांक 7-12-1955 की उप-धारा 9 (सी० सी०) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग कर सर्वश्री ब्रेक्स इण्डिया लि०, मद्रास को जारी की गई उपर्युक्त मूल सीमा शुल्क प्रयोजन प्रति संख्या पी०/सी० जी०/ 2072646/ एम०/डब्ल्यू० पी०/ 65/ एच०/76/दिनांक 15-10-77 को एतद्वारा रद्द किया जाता है।

उपर्युक्त लाइसेंस की अनुलिपि सीमा शुल्क प्रयोजन प्रति पार्टी को अलग से जारी की जा रही है।

[संख्या 834/77/39/सी० जी०-1/798]

जी० एम० ग्रेवाल, उप-मुख्य नियन्त्रक, आयात-निर्यात

### OFFICE OF THE CHIEF CONTROLLER OF IMPORTS AND EXPORTS

#### ORDER

New Delhi, the 19th September, 1979

**S.O. 3410.**—M/s. Brakes India Limited, 37, Mount Road, Madras were granted an import licence No. P/CG/2072646/S/WP/65/H/76 dated 15-10-77 for Rs. 46,07,774 (Rupees Forty Six Lakh Seven thousand Seven hundred and seventy four only) for import of one No. Inertia Brake Dynamometer with accessories & spares under ICICI/loan. The firm has applied for issue of Duplicate copy of Customs purposes copy of the above mentioned licence on the ground that the Original Customs purposes copy of the licence has been lost or misplaced. It has further been stated that the Custom purposes copy of the licence was not registered with any Customs Authority and as such the value of Customs purpose copy has not been utilised at all.

In support of their contention, the licensee has filed an affidavit on stamped paper duly sworn in before a Notary Public Madras. I am accordingly satisfied that the original customs purposes copy of import licence No. P/CG/2072646/S/WP/65/H/76 dt. 15-10-77 has been lost/or misplaced by the firm. In exercise of the powers conferred under sub-clause 9(cc) of the Import (Control) Order, 1955 dt. 7-12-55 as amended the said original customs purposes copy No. P/CG/2072646/S/WP/65/H/76 dt. 15-10-77 issued to M/s. Brakes India Limited, Madras is hereby cancelled.

A duplicate Customs purposes copy of the said licence is being issued to the party separately.

[No. 834/77/39/CGI/798]

G. S. GREWAL,

Dy. Chief Controller of Imports and Exports

**का० प्रा० 3411.**—सर्वश्री प्रदीप लैंप वर्क्स, जय कृष्णा रोड, पटना-800009 को सामान्य मुद्रा क्षेत्र से लाइसेंस के लिए संलग्न सूची के अनुसार कच्चे माल और संघटकों के आयात के लिए 61,000/- रुपये मूल्य का आयात लाइसेंस सं० पी०/डी० / 2205996/ सी०/ एक्स० एक्स०/ 61/एच०/ 43-44 दिनांक 16-12-76 प्रदान किया गया था जिसका व्यौरा नीचे दिया गया है।

2. उन्होंने उपर्युक्त लाइसेंस की अनुलिपि सीमा-शुल्क प्रयोजन प्रति जारी करने के लिए इस आधार पर अनुरोध किया है कि मूल-सीमा शुल्क प्रयोजन प्रति कलकत्ता पत्तन के सीमा-शुल्क प्राधिकारियों के पास पंजीकृत कराने और आंशिक रूप से उपयोग में लाने के पश्चात् खो गई है। आगे लाइसेंसधारी ने यह भी सूचना दी है कि लाइसेंस में जोष 31,000/- रुपये की राशि थी जिसका उपयोग नहीं किया गया था।

3. अपने तर्कों के समर्थन में, आবেदक ने एक शपथपत्र दाखिल किया है। अधोहस्ताक्षरी संतुष्ट है कि लाइसेंस सं० पी०/डी०/ 2205996 दिनांक 16-12-76 की मूल सीमा-शुल्क प्रयोजन प्रति खो गई है और निवेश देती है कि आবেदक को उक्त लाइसेंस की अनुलिपि सीमा-शुल्क प्रयोजन प्रति जारी की जाए। मूल सीमा-शुल्क प्रयोजन प्रति एतद्वारा रद्द की जाती है।

4. उक्त लाइसेंस की अनुलिपि सीमा-शुल्क प्रयोजन प्रति अलग से जारी की जा रही है।

#### लाइसेंस का व्यौरा

| क्रम सं०           | लाइसेंस सं० एवं तिथि         | माल का विवरण                              | क्षेत्र                |
|--------------------|------------------------------|---|------------------------|
| 1                  | 2                            | 3   | 4                      |
| 1.                 | पी०/डी०/ 2205996<br>16-12-76 | संलग्न सूची के अनुसार कच्चा माल एवं संघटक | सामान्य मुद्रा क्षेत्र |
| जिस अवधि तक वैध है | मूल्य रुपये में              | प्रयुक्त मूल्य रुपये                      | जोष राशि रुपये         |
| 5                  | 6                            | 7   | 8                      |
| 15-12-78           | 61,000/-<br>रुपए             | 30,000/-<br>रुपए                          | 31,000/-<br>रुपए       |

[मिसिल सं० नैप / 21/1/76-77/ आर० एम० 2]

आर० एम० सिंह,

नियन्त्रक, आयात-निर्यात

कुले मुख्य नियन्त्रक, आयात-निर्यात

#### ORDER

New Delhi, the 19th September, 1979

**S.O. 3411.**—M/s. Pradip Lamp Works, Jay Krishna Road, Patna-800009 were granted import licence No. P/D/2205996/C/XX/61/H/43.44 dated 16-12-76 for import of Raw Materials and Components as per list attached to it valued at Rs. 61,000/- under G.C.A. and as per particulars given below:—

2. They have requested for the issue of duplicate Customs Purposes Copy of the above said licence on the ground that the original Customs Purposes Copy has been lost after having been registered with the Customs Authorities at the port of Calcutta and utilised partly. It has been further reported by the licensee that the licence had an unutilised balance of Rs. 31,000/-.

3. In support of their contention, the applicant have filed an affidavit. The undersigned is satisfied that the original Customs Purposes copy of import licence No. P/D/2205996 dated 16-12-76 has been lost and hence directs that a duplicate Customs Purposes Copy of the said licence should be issued to the applicant. The original Customs Purposes Copy is hereby cancelled.

4. The Duplicate Customs Purposes Copy of the said licence is being issued separately.

#### PARTICULAR OF THE LICENCE

| S. No. | Licence No. & Date      | Description of goods                             | Country |
|--------|-------------------------|--|---------|
| 1      | 2                       | 3  | 4       |
| 1.     | P/D/2205996<br>16-12-76 | Raw Materials & Components as per list attached. | GCA     |



| Valid upto | Value<br>Rs. | Utilised<br>Value | Balance.   |
|------------|--------------|-------------------|------------|
| 5          | 6            | 7                 | 8          |
| 15-12-78   | 61,000       | Rs. 30,000        | Rs. 31,000 |

[File No. Lamp/21/1/76-77/RM.II]

R. M. SINGH, Controller of Imports and Exports  
for Chief Controller of Imports & Exports.

आदेश

नई दिल्ली, 20 सितम्बर, 1979

कां.प्रा.३४१२—सर्वश्री बोकारो जनरल हॉस्पिटल, बोकारो स्टील सिटी, बिहार को मुक्त विदेशी मृदा के अधीन लाइसेंस के लिए संयम सूची के अनुसार फाइब्रोप्टिक गेस्ट्रोस्कोप आदि के आयात के लिए 73,851/- रुपये (तिहत्तर हजार आठ सौ अठ्यावन रुपये मात्र) का आयात लाइसेंस सं० जी/ए/1074238/सी/एक्स/62/एच/43-44 दिनांक 14-1-77 प्रदान किया गया था। फर्म ने उपर्युक्त लाइसेंस की अनुमिति सीमा-शुल्क प्रयोजन जारी करने के लिए इस आधार पर आवेदन किया है कि लाइसेंस की मूल सीमा शुल्क प्रयोजन प्रति थी गई प्रथम अवस्थानस्थ हो गई है। आगे यह बताया गया है कि चूंकि लाइसेंस की सीमा-शुल्क प्रयोजन प्रति किसी भी सीमा-शुल्क प्राधिकारी के पास पंजीकृत नहीं कराई गई थी अतः सीमा-शुल्क प्रति के मूल्य का बिल्कुल उपयोग नहीं किया गया था।

2. अपने हर्क के समर्थन में लाइसेंस धारी ने बोकारो स्टील सिटी के खिलाड़ीश के सम्मुख विधिवत शपथ लेकर स्टाम्प कागज पर एक शपथ पत्र बाबिल किया है। तदनुसार से संयुक्त है कि फर्म द्वारा आयात लाइसेंस सं० जी/ए/1074238 दिनांक 14-1-1977 की मूल सीमा-शुल्क प्रयोजन प्रति थी गई/अवस्थानस्थ हो गई है। यवासंशोधित आयात (नियंत्रण) आदेश, 1955 दिनांक 7-12-1955 की उप-धारा 9 (सीसी) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग करते हुए सर्वश्री बोकारो जनरल हॉस्पिटल को जारी की गई मूल सीमा-शुल्क प्रयोजन प्रति सं० जी/ए/1074238 दिनांक 14-1-77 एतद्वारा रद्द की जाती है।

3. पार्टी को उक्त लाइसेंस की अनुमिति सीमा-शुल्क प्रयोजन प्रति प्रत्येक से जारी का जा रहा है।

[सं० बी 8/एम ई सी/76-77/आई एन एन/20]

ए० एम० चटर्जी, उप-मुख्य निबंधक, आयात निबंध

ORDER

New Delhi, the 20th September, 1979

S.O. 3412.—M/s. Bokaro General Hospital. Bokaro Steel City, Bihar were granted an import licence No. G/A/1074238/C/XX/62/H43-44 dated 14-1-1977 for Rs. 73851 (Rupees seventy three thousand eight hundred and fifty one only) for import of Fiberoptic Gastroscopy etc. as per list attached under free foreign exchange. The firm has applied for issue of Duplicate copy of Customs purposes copy of the above mentioned licence on the ground that the original Customs purposes copy of the licence has been lost or misplaced. It has further been stated that the Customs purposes copy of the licence was not registered with any Customs authority and as such the value of Customs purpose copy has not been utilised at all.

2. In support of their contention, the licensee has filed an affidavit on stamped paper duly sworn in before a Magistrate, Bokaro Steel City. I am accordingly satisfied that the original Customs purposes copy of import licence No.

637 GI/79—3

G/A/1074238 dated 14-1-1977 has been lost/or misplaced by the firm. In exercise of the powers conferred under sub-clause 9 (cc) of the Import (Control) Order, 1955 dated 7-12-1955 as amended the said original Customs purposes copy No. G/A/1074238 dated 14-1-1977 issued to M/s. Bokaro General Hospital is hereby cancelled.

3. A duplicate Customs purposes copy of the said licence is being issued to the party separately.

[No.B.8/MED/76-77/ILS/61]

A. N. CHATTERJEE, Dy. Chief Controller  
of Imports and Exports

उद्योग मंत्रालय

(प्रौद्योगिक विकास विभाग)

आदेश

नई दिल्ली, 16 अगस्त, 1979

कां.प्रा.३४१३.—उद्योग (विकास तथा विनियमन) अधिनियम, 1951 (1951 का 65) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा विकास परिषद कार्यविधिक नियम, 1952 के नियम 2, 4, तथा 5 को सांघ पढ़ते हुए केन्द्रीय सरकार, भारत सरकार, उद्योग मंत्रालय (प्रौद्योगिक विकास विभाग) के संशोधनकारी आदेश सं० कां.प्रा.३४१३/आई डी डार ए दिनांक 28-2-79 में एतद्वारा निम्नलिखित संशोधन करती है, अर्थात् :-

उक्त संशोधन आदेश में विशेष सचिव प्रौद्योगिक विकास विभाग के स्थान पर "अपर सचिव, प्रौद्योगिक विकास विभाग" रखा जाए।

[कां. सं० 38(14)/76-एम० आई०]

पी० धार० चन्द्रन, उप-सचिव

MINISTRY OF INDUSTRY

(Department of Industrial Development)

ORDER

New Delhi, the 16th August, 1979

S.O. 3413.—In exercise of the powers conferred by Section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951) read with Rules 2, 4 and 5 of the Development Council Procedural Rules 1952, the Central Government hereby makes the following amendments in the amendment order No. S.O. /IDRA dated 28-2-79 of the Government of India, Ministry of Industry (Department of Industrial Development), namely :-

In the said amendment order for "Special Secretary, Department of Industrial Development" "Additional Secretary, Department of Industrial Development" should be substituted.

[F. No. 38(14)/76-M.I.]

P. R. CHANDRAN, Dy. Secy

आदेश

नई दिल्ली, 17 सितम्बर, 1979

कां.प्रा.३४१४.—केन्द्रीय सरकार, विकास परिषद (प्रक्रिया) नियम, 1952 के नियम 5 के साथ पठित उद्योग (विकास और विनियमन) अधिनियम, 1951 (1951 का 65) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और भारत सरकार के आदेश सं० कां.प्रा.३४१४/वि० वि० प्र० 6/5, तारीख 9 अक्टूबर, 1978 को आयात: उपान्तरित करते हुए, श्री प्रयोग पाथेमागि, सचिव, इलेक्ट्रॉनिक्स विभाग तथा पदेन संयुक्त सचिव इलेक्ट्रॉनिक्स विभाग, नई दिल्ली को, इस आदेश की तारीख से 8 अक्टूबर, 1980 तक की अवधि के लिए उपकरण उद्योग विकास परिषद का सदस्य नियुक्त करती है।

[एफ० सं० आई० एम० एफ० 3 (5)/76]

एस० श्रीरामन, अपर सचिव

## (Department of Industrial Development)

## ORDER

New Delhi, the 17th September, 1979

**S.O. 3414.**—In exercise of the powers conferred by Section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), read with rule 5 of the Development Councils (Procedural) Rules, 1952 and in partial modification of Government of India Order No. S.O./IDRA/6/5 dated the 9th October, 1978, the Central Government hereby appoints Shri Ashok Parthasarathi, Secretary, Electronic Commission and ex-officio Joint Secretary, Department of Electronics, New Delhi, to be a member of the Development Council for Instruments Industry for the period commencing on the date of this Order and ending with the 8th October, 1980.

F. No. IME-3(5)/76  
S. SRIRAMAN, Under Secy.

## आदेश

नई दिल्ली, 24 सितम्बर, 1979

**कां० प्रा० 3415**—उद्योग (विकास एवं क्रियमय) अधिनियम, 1951 (1951 का 65) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए विकास परिषद (प्रक्रियात्मक) नियम, 1952 के नियम 2, 4 और 5 के साथ पढ़ते हुए, केन्द्रीय सरकार एतद्वारा इस आदेश की तिथि से दो वर्षों की अवधि के लिए सीमेंट उद्योग की विकास परिषद का गठन करती है तथा निम्नलिखित व्यक्तियों को उक्त परिषद का सदस्य नियुक्त करती है, अर्थात् :-

## सीमेंट उद्योग की विकास परिषद

1. सचिव/अपर सचिव  
औद्योगिक विकास विभाग,  
उद्योग, मंत्रालय, नई दिल्ली। अध्यक्ष
- क. औद्योगिक उपक्रम के स्वामियों/सीमेंट उद्योग के निर्माताओं के ज़िन्ते का प्रतिनिधित्व करने वाले
2. कर्नेल एस० पी० बाड़ी,  
अध्यक्ष एवं प्रबन्धक निदेशक,  
सीमेंट कारपोरेशन आफ इंडिया  
नई दिल्ली। सदस्य
3. श्री कमलजीत सिंह,  
प्रबन्ध निदेशक,  
एसोसिएटिड सीमेंट कार्नीज लि०,  
बम्बई। सदस्य
4. श्री एम० पी० जैन,  
अध्यक्ष सीमेंट लि०,  
चित्रकूटवाड़ा। सदस्य
- ख. सीमेंट उद्योग के तकनीकी एवं अन्य पहलुओं के सम्बन्ध में विशेष ज्ञान रखने वाले व्यक्ति
5. डा० एच० सी० विश्वेश्वरैया  
सहानिवेशक,  
सीमेंट रिमर्च इंस्टीट्यूट,  
बस्सलमगड। सदस्य
6. श्री पी० अजीथ सिंह,  
निदेशक (निजिन् इजीनियरिंग)  
भारतीय मानक संस्था,  
नई दिल्ली। सदस्य
7. श्री के० वी० एम० मूर्ति  
संयुक्त सलाहकार,  
योजना आयोग,  
नई दिल्ली। सदस्य

8. श्री के० वी० राम चन्द्रन,  
संयुक्त निदेशक,  
ट्रैफिक, ट्रान्स्पोर्टेशन-III  
मेलबे रोड, नई दिल्ली। सदस्य
9. डा० एस० बी० पी० आर्यगर  
उपसहानिवेशक,  
भारतीय भूतन्त्रीय सर्वेक्षण,  
कलकत्ता। सदस्य
10. श्री आर० पी० खोयला  
अपर सचिव,  
कोयला विभाग, नई दिल्ली। सदस्य
11. श्री एस० आर० खन्ना,  
विकास अधिकारी,  
तकनीकी विकास का मन्त्रानिवेशालय,  
नई दिल्ली। सदस्य
- ग. सीमेंट उद्योग के औद्योगिक उपक्रमों में सगे लोगों का प्रतिनिधित्व करने वाले व्यक्ति
12. श्री सजीव रेड्डी,  
सदस्य, कार्य समिति  
इण्डियन नेशनल ट्रेड यूनियन कांग्रेस,  
1 बी, मौलाना आजाद रोड,  
नई दिल्ली-11। सदस्य
13. श्री एच० एन० त्रिवेदी,  
अध्यक्ष,  
नेशनल सीमेंट वर्क्स फेडरेशन  
मजदूर कार्यालय कांग्रेस हाउस  
बम्बई-400004। सदस्य
- घ. उपभोक्ताओं के ज़िन्ते का प्रतिनिधित्व करने में समर्थ व्यक्ति
14. श्री जी० सी० माथुर  
निदेशक, राष्ट्रीय भवन निर्माण मंडल,  
निर्माण भवन, नई दिल्ली। सदस्य
15. श्री मनीष बहल,  
औद्योगिक विकास विभाग के  
सहायक संयुक्त सचिव,  
उद्योग मंत्रालय, उद्योग भवन  
नई दिल्ली। सदस्य-सचिव

[संख्या 5-6/78 सीमेंट]  
पी० के० एम० अक्षर, उप सचिव

## ORDER

New Delhi, the 24th September, 1979

**S.O. 3415.**—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951) read with rules 2, 4 and 5 of the Development Councils (Procedural) Rules, 1952, the Central Government hereby establishes a Development Council for Cement Industry for a period of two years with effect from the date of this Order and appoints the following persons to be members of the said Council, namely:—

## DEVELOPMENT COUNCIL FOR CEMENT INDUSTRY

1. Secretary/Additional Secretary,  
Department of Industrial Development  
Ministry of Industry, New Delhi. —Chairman

**A : Representing the interests of owners of industrial undertaking/ manufactures in cement industry.**

2. Col. S. P. Wahi —Member  
Chairman-cum-Managing Director,  
Cement Corporation of India Ltd.,  
New Delhi.
3. Shri Kamaljit Singh, —Member  
Managing Director,  
Associated Cement Companies Ltd.,  
Bombay.
4. Shri M. P. Jain, —Member  
Andhra Cements Ltd.,  
Vijayawada.

**B: Persons having special knowledge of matter relating to the technical or other aspects of cement industry.**

5. Dr. H. C. Visvesvaraya, —Member  
Director-General  
Cement Research Institute  
Ballabgarh.
6. Shri D. Ajitha Simha, —Member  
Director Civil Engineering,  
Indian Standards Institution,  
New Delhi.
7. Shri K. V. S. Murthy, —Member  
Joint Adviser,  
Planning Commission,  
New Delhi.
8. Shri K. V. Ramachandran, —Member  
Joint Director, Traffic,  
Transportation-III  
Railway Board, New Delhi.
9. Dr. S.V.P. Iyengar, —Member  
Deputy Director General,  
Geological Survey of India,  
Calcutta.
10. Shri R. P. Khosla, —Member  
Additional Secretary,  
Department of Coal,  
New Delhi.
11. Shri S.R. Khanna, —Member  
Development Officer, DGTD,  
New Delhi.

**C : Persons capable of representing the interest of Workers employed in industrial undertakings in the cement industry.**

12. Shri Sanjiva Reddy, —Member  
Member Working Committee,  
Indian National Trade Union Congress,  
1 B, Maulana Azad Road,  
New Delhi-II.
13. Shri H. N. Trivedi, President —Member  
Indian National Cement Workers  
Federation,  
1Mazdoor Karyalaya Congress House,  
Bombay-400004.

**D : Persons capable of representing the interests of consumers**

14. Shri G.C. Mathur, —Member  
Director, National Building  
Organisation, Nirman Bhavan,  
New Delhi.
15. Shri Manish Bahl, —Member-Secretary  
Joint Secretary concerned in the  
Department of Industrial Development,  
Ministry of Industry, Udyog Bhavan,  
New Delhi.

[No. 5-6/78-Cem.]

P. K. S. IYER, Deputy Secy.

स्वास्थ्य और परिवार कल्याण विभाग

( स्वास्थ्य विभाग )

नई दिल्ली, 7 अगस्त, 1979

क्रा० आ० 3416.—भारतीय पत्तन अधिनियम, 1908 (1908 का 15) की धारा 6 की उपधारा (1) के खण्ड (र) में प्रदत्त शक्तियों

का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा भारतीय पत्तन स्वास्थ्य नियमावली, 1955 में निम्नलिखित और संशोधन करती है, अर्थात्:—

1 (1) इन नियमों का नाम भारतीय पत्तन स्वास्थ्य (संशोधन) नियम, 1979 है।

(2) ये सरकारों राजपत्र में प्रकाशित होने की तारीख से लागू होंगे।

2 भारतीय पत्तन स्वास्थ्य नियमावली, 1955 में —

(1) नियम 50 में —

(क) उपनियम (1) के स्थान पर निम्नलिखित उपनियम रखा जाएगा।

“(1) सभी ऐसे व्यक्तियों की जो प्रदत्त तथा निकोबार द्वीपसमूह की किसी बन्दरगाह से मुख्यभूमि की किसी बन्दरगाह में जहाज द्वारा जाना चाहते हों या मुख्यभूमि में प्रदत्त तथा निकोबार द्वीपसमूह अथवा लक्षद्वीप द्वीपसमूह की किसी बन्दरगाह में जहाज द्वारा जाना चाहते हों, स्वास्थ्य अधिकारों द्वारा डाक्टरों परीक्षा को जाएंगी किन्तु उनके पास हैजा तथा चेचक के टीके के वैध प्रमाण-पत्र होने जरूरी नहीं।”

(ख) उपनियम (4) हटा दिया जाएगा।

(2) नियम (91) हटा दिया जाएगा।

[गख्या आ० 11020/26/79 आई० एच०]

**MINISTRY OF HEALTH AND FAMILY WELFARE**

(Health Department)

New Delhi, the 7th August, 1979

**S.O. 3416.**—In exercise of the powers conferred by clause (p) of sub-section (1) of section 6 of the Indian Ports Act, 1908(15 of 1908), the Central Government hereby makes the following further amendment in the Indian Port Health Rules, 1955, namely :—

1. (1) These rules may be called the Indian Port Health (Amendment) Rules, 1979.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Indian Port Health Rules, 1955—

(i) in rule 50—

(a) for sub-rule (1), the following sub-rule shall be substituted, namely :—

“(1) All persons proposing to embark upon a ship leaving any port in the Andaman and Nicobar Islands or Lakshadweep Islands for any port on the mainland or vice versa shall be medically examined by the Health Officer but they are not required to be in possession of valid certificates of vaccination against Cholera and Smallpox”.

(b) sub-rule (4) shall be omitted.

(ii) rule 91 shall be omitted.

[No. O. 11020/26/79-IH]

क्रा० आ० 3417.—हवाई जहाज अधिनियम 1934 ( 1934 का 22 ) की धारा 8क द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा विमान ( जन स्वास्थ्य नियमावली ), 1954 में निम्न-लिखित और संशोधन करती है, अर्थात्:—

1 (1) इन नियमों का नाम विमान ( जन स्वास्थ्य ) संशोधन नियम, 1979 है।

(2) ये सरकारों राजपत्र में प्रकाशित होने की तारीख से लागू होंगे।

2. विमान (जन स्वास्थ्य) नियमावली, 1954 में नियम 35 के स्थान पर निम्नलिखित नियम रखा जाएगा, अर्थात्—

“35. सभी ऐसे व्यक्तियों की जो ग्रहमान तथा निकोबार द्वीपसमूह अथवा लक्षद्वीप द्वीपसमूह के किसी हवाई अड्डे से मुख्य भूमि के किसी हवाई अड्डे पर हवाई जहाज द्वारा जाना चाहते हों या मुख्यभूमि से ग्रहमान तथा निकोबार द्वीपसमूह के किसी हवाई अड्डे पर हवाई जहाज द्वारा जाना चाहते हों, स्वास्थ्य अधिकारी द्वारा डाक्टरी परीक्षा की जाएगी किन्तु उनके पास हैजा तथा चेचक के टीके के वैध प्रमाणपत्र होने जरूरी नहीं हैं।”

[सं० ओ० 11020/26/79]

एम० डी० लाल, प्रवर सचिव

S.O. 3417.—In exercise of the powers conferred by section 8A of the Aircraft Act, 1934 (22 of 1934), the Central Government hereby makes the following further amendments in the Aircraft (Public Health) Rules, 1954, namely:—

1. (1) These Rules may be called the Aircraft (Public Health) Amendment Rules, 1979.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Aircraft (Public Health) Rules, 1954, for rule 35, the following rule shall be substituted, namely:—

“35. All persons proposing to embark upon an aircraft leaving any airport in the Andaman and Nicobar Islands or Lakshadweep Islands for any airport on the mainland or vice versa shall be medically examined by the Health Officer but they are not required to be in possession of valid certificates of vaccination against Cholera and Smallpox.”

[No. O. 11020/26/79-IH]

S. D. LAL, Under Secy.

(स्वास्थ्य विभाग)

नई दिल्ली, 21 सितम्बर, 1979

क्रा० प्रा० 3418.—भारतीय आयुर्विज्ञान परिषद, नियम, 1957 के नियम 2 के खण्ड (ब) के अनुसरण में केन्द्रीय सरकार एतद्वारा डा० ओ० पी० बलुआपुरी, रजिस्ट्रार, भोपाल आयुर्विज्ञान परिषद, भोपाल को भारतीय आयुर्विज्ञान परिषद अधिनियम, 1956 (1956 का 102) की धारा 3 की उप-धारा (1) के खण्ड (ग) के अधीन मध्य प्रदेश राज्य में भारतीय आयुर्विज्ञान परिषद के सदस्य का चुनाव कराने के लिए निर्वाचन अधिकारी नियुक्त करती है।

[संख्या की० 11013/28/79-एम० ई० (पी०)]

के० एल० भाटिया, प्रवर सचिव

(Department of Health)

New Delhi, the 21st September, 1979

S.O. 3418.—In pursuance of clause (d) of rule 2 of the Indian Medical Council Rules, 1957, the Central Government hereby appoints Dr. O. P. Baluapuri, Registrar, Bhopal Medical Council, Bhopal, as Returning Officer for the conduct of election of a member of the Medical Council of India under clause (c) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956) in the State of Madhya Pradesh.

[No. V. 11013/28/79-M.E. (P)]

K. L. BHATIA, Under Secy.

इस्पात, खान और कोयला मंत्रालय

(इस्पात विभाग)

नई दिल्ली, 14 सितम्बर, 1979

क्रा० प्रा० 3419.—केन्द्रीय सरकार, इंडियन आयरन एंड स्टील कम्पनी (शेयरों का अधिग्रहण) अधिनियम, 1976 (1976 का 89) की धारा 5 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एतद्वारा बोझा तथा इस्पात निर्यातक, कलकत्ता के कार्यालय के निम्नलिखित अधीक्षकों को उनके नाम के सामने दी गई तारीख से सहायक सहायक आयुक्त नियुक्त करती है। उनकी नियुक्ति श्री एम० के० मिश्रा तथा श्रीमती ए० गोस्वामी के स्थान पर की गई है जो 30 जून, 1979 के अपराह्न से सेवा निवृत्त हो गए हैं:—

|                          |           |           |
|--------------------------|-----------|-----------|
| 1. श्री बिमलेन्दु कर     | 2-7-1979  | पूर्वाह्न |
| 2. श्री दलीप कुमार गुप्त | 13-7-1979 | अपराह्न   |

[मि० सं० 8 (108)/76-के० आई०]

ते० वा० नायर, उप-सचिव

MINISTRY OF STEEL MINES AND COAL

(Department of Steel)

New Delhi, the 14th September, 1979

S.O. 3419.—In exercise of the powers conferred by sub-section (2) of Section 5 of the Indian Iron and Steel Company (Acquisition of Shares) Act, 1976 (89 of 1976), the Central Government hereby appoints the following superintendents in the office of the Iron and Steel Controller, Calcutta, as Assistant Commissioner of Payments with effect from the dates shown against each in place of Shri S. K. Mitra and Smt. A. Goswami since superannuated on the after-noon of 30th June, 1979:—

|                           |                |
|---------------------------|----------------|
| 1. Shri Bimalendu Kar     | 2-7-1979 (FN)  |
| 2. Shri Dalip Kumar Gupta | 13-7-1979 (AN) |

[File No. 8(108)/76-KI]

T. V. NAYAR, Deputy Secy.

ग्रामीण पुनर्निर्माण मंत्रालय

नई दिल्ली, 22 सितम्बर, 1979

क्रा० प्रा० 3420.—प्याज श्रेणीकरण और चिन्हान नियम, 1964 में संशोधन करने के लिए नियमों का प्रारूप, कृषि उपज (श्रेणीकरण और चिन्हान) अधिनियम, 1937 (1937 का 1) की धारा 3 की अपेक्षानुसार, भारत के राजपत्र, भाग 2, खण्ड 3, उपखण्ड (ii) तारीख 22 अप्रैल, 1978 की अधिसूचना के अन्तर्गत भारत सरकार के कृषि और सिंचाई मंत्रालय (ग्राम विकास विभाग) की अधिसूचना सं० का०प्रा० 1148 तारीख 5 अप्रैल, 1978 के अधीन प्रकाशित किया गया था जिसमें उन सभी व्यक्तियों से, जिनके उनसे प्रभावित होने की संभावना थी, राजपत्र में उक्त अधिसूचना के प्रकाशित होने की तारीख से पैंतालीस दिन की अवधि के समाप्त होने के पूर्व आक्षेप या सुझाव मांगे गए थे। और उक्त राजपत्र की प्रतियां 22 अप्रैल, 1978 को जनता की उपलब्ध करा दी गई थीं;

और उक्त प्रारूप के बाबत प्राप्त सुझावों पर केन्द्रीय सरकार में विचार कर लिया है;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, प्याज श्रेणीकरण और चिन्हान नियम, 1964 में संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात्—

नियम

(1) इन नियमों का संक्षेप नाम प्याज श्रेणीकरण और चिन्हान (संशोधन) नियम, 1979 है।

(2) प्याज श्रेणीकरण और चिन्हान नियम, 1964 की अनुसूची 2 और 3 के स्थान पर निम्नलिखित अनुसूचियां रखी जाएंगी,

(नियम 3 और 4 देखिए)

नासिक/मोराष्ट्र/बेजारी/पूना प्याज (अनियम सेवा एल) के श्रेणी अभिधान तथा क्वालिटी की परिभाषा

| श्रेणी अभिधान                 | विशेष लक्षण     |                                     | साधारण लक्षण   |   |
|-------------------------------|-----------------|-------------------------------------|--|---|
|                               | रंग             | *आकार (मि०मी०) में<br>व्यास न्यूनतम | खराब रोगग्रस्त,<br>रगण और क्षतिग्रस्त<br>कंद (वजन का प्रतिशत<br>अधिकतम** |   |
| 1                             | 2               | 3                                   | 4  | 5   |
| अति बड़ी                      | हल्के से गुलाबी | 60 मि०मी०                           | 10.0   | (1) प्रजाति कंद किस्म की आकृति, आकार, रंग और तिका लक्षणों में प्रायः एक समान होंगे।   |
| बड़ी                          | „               | 40 मि०मी०                           | 10.0   | (2) परिपक्व, छूने में ठोस, संलग्न छिलकों के साथ पर्याप्त दृढ़ होंगे।  |
| मध्यम                         | „               | 30 मि०मी०                           | 10.0   | (3) अच्छी तरह से उपचारित और सूखे हुए होंगे।   |
| छोटी                          | „               | 20 मि०मी०                           | 10.0   | (4) धूल और अन्य विजातीय पदार्थों से मुक्त होंगे।  |
| साधारण                        | „               | मिश्रित 20 मि०मी०                   | 10.0   |   |
| एस०एस० (अविनिर्दिष्ट) श्रेणी† |                 |                                     |  | (5) खराबियों बीज संकथ के कारण, रोगग्रस्त, मड़े और क्षतिग्रस्त कंदों, सिरों, जड़ों, नमी शुष्कता धूप झुपसन, झुलसन, अंकुरण, यंत्र-जन्य या अन्य क्षतियों और बाय से स्तम्भ 4 में विनिर्दिष्ट सीमा तक मुक्त होंगे,<br>(6) कफूद, हल्की गलन और कीट प्रभाव से मुक्त होंगे। |

\*आकार की सहस्रा आकार में आकस्मिक छुटियों के लिए, किमी भी साठ में, विहित न्यूनतम व्यास से 10% तक निम्न श्रेणी के कंद वजन में 5.0 प्रतिशत से अधिक नहीं हो सकेंगे।

\*\*खराब रोगग्रस्त और क्षतिग्रस्त कंदों से अभिप्रेत है कुरजिन कंद और ऐसे कंद जो आन्तरिक या बाह्य रूप से क्षतिग्रस्त, रोगग्रस्त या अपवर्णित हो जिससे क्वालिटी पर तात्त्विक प्रभाव पड़ता हो। किसी भी साठ में, सड़ी प्याज 2.0 प्रतिशत से अधिक नहीं होगी।

† साधारण इस श्रेणी की प्याज को, अप्रतिसंस्मरणीय प्रत्यय पत्र के आधार पर ही पैक करने दिया जाएगा।

‡ अविनिर्दिष्ट श्रेणी सही अर्थों में यह कोई श्रेणी नहीं है किन्तु उस ऐसी प्याज के लिए रखा गया है जो नियमित श्रेणियों में नहीं आती हैं। इस श्रेणी की प्याज का निर्यात, विदेशी जेता से, अपेक्षित उत्पाद की मात्रा और क्वालिटी का उपयुक्त करते हुए विशिष्ट आदेश मिलने पर ही किया जाएगा।

## अनुसूची 3

(नियम 3 और 4 देखिए)

नासिक प्याज अनियम सेवा एल के फोन रूप का श्रेणी अभिधान और क्वालिटी की परिभाषा

| श्रेणी अभिधान | विशेष लक्षण     |                                     | साधारण लक्षण  |  |
|---------------|-----------------|-------------------------------------|---|--|
|               | रंग             | *आकार (मि०मी०) में<br>व्यास न्यूनतम | खराब रोगग्रस्त,<br>और क्षतिग्रस्त कंद<br>(वजन का प्रतिशत)<br>अधिकतम** |  |
| 1             | 2               | 3                                   | 4   | 5  |
| अति बड़ी      | हल्के से गुलाबी | 60 मि०मी०                           | 10.0  | (1) प्रजाति कंद किस्म की आकृति, आकार रंग और तिका लक्षणों में प्रायः एक समान होंगे। |
| बड़ी          | „               | 40 मि०मी०                           | 10.0  | (2) परिपक्व, छूने में ठोस संलग्न छिलकों के साथ पर्याप्त दृढ़ होंगे।                |
| मध्यम         | „               | 30 मि०मी०                           | 10.0  | (3) अच्छी तरह से उपचारित और सूखे हुए होंगे।  |
| छोटी          | „               | 20 मि०मी०                           | 10.0  | (4) धूल और अन्य विजातीय पदार्थों से मुक्त होंगे।                                   |
| साधारण        | „               | मिश्रित 20 मि०मी०                   | 10.0  |  |

एन०एस० (अबनिविष्ट) श्रेणी

(5) शराबियों कीज स्कंध के कारण रोगग्रस्त, सड़े और क्षतिग्रस्त कंदों, शिरो, जड़ों, तभी, शुष्कता, धूप-भुनसन, भुलसन, अकुरण, यंत्र जन्य या अन्य क्षतियों और बाग से स्तम्भ 4 में विनि-विष्ट सीमा तक मुक्त होंगे।

(6) प्याजों के कीज स्कंध की प्रतिशतता 20 प्रतिशत से अधिक नहीं होगी।

(7) फफूँव हल्की गलन और कीट प्रभाव से मुक्त होंगे।

\* आकार की सहायता: आकार में आकस्मिक कृटियों के लिए किसी भी लाट में, विहित न्यूनतम व्यास से ठीक निम्न श्रेणी के कंद वजन में 5.0 प्रतिशत से अधिक नहीं हो सकेंगे।

@ खराब, रोगग्रस्त और क्षतिग्रस्त कंदों में अभिप्रेत है कुराबित कंद जो आन्तरिक या बाह्य रूप से क्षतिग्रस्त, रोगग्रस्त या अप्रवर्णित हो जिससे क्वालिटी पर तात्त्विक प्रभाव पड़ता हो। किसी भी लाट से सड़ी प्याजें 2.0 प्रतिशत से अधिक नहीं होंगी।

£ साधारण:—इस श्रेणी की प्याज को, अप्रतिसंहरणीय प्रत्येक पत्र के आधार पर ही पैक करने दिया जाएगा।

† एन०एस० (अबनिविष्ट) श्रेणी:—सही अर्थों में यह कोई श्रेणी नहीं है किन्तु उसे ऐसी प्याज के लिए रखा गया है जो नियमित श्रेणियों में नहीं आती हैं। इस श्रेणी की प्याज को निर्यात, विदेशी विक्रेता से, अपेक्षित उत्पाद की मात्रा और क्वालिटी को उपरक्षित करने हुए, विनिष्ट आदेश मिलने पर ही किया जाएगा।

[स० 17-2/77-ए०एस०]

## MINISTRY OF RURAL RECONSTRUCTION

New Delhi, the 22nd September, 1979

S.O. 3420.—Whereas the draft rules to amend the Onions Grading and Marking Rules, 1964, were published, as required by Section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), at pages 1163 to 1165 of the Gazette of India, Part II, Section 3, Sub-Section (ii), dated the 22nd April, 1978, under the notification of the Government of India in the Ministry of Agriculture and Irrigation (Department of Rural Development) No. S.O. 1148, dated the 5th April, 1978, inviting objections and suggestions from all persons likely to be affected thereby before the expiry of the period of fortyfive days from the date of publication of the said notification in the Official Gazette;

And whereas the copies of the said Gazette were made available to the public on the 22nd April, 1978;

And whereas the suggestions received in respect of the said draft have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by section 3 of the said Act, the Central Government hereby makes the following rules to amend the Onion Grading and Marking Rules, 1964, namely :—

## RULES

- (1) These rules may be called the Onion Grading and Marking (Amendment) Rules, 1979.
- (2) In the Onion Grading and Marking Rules, 1964, for Schedules II and III, the following Schedules shall be substituted, namely :—

## “SCHEDULE-II

(See rules 3 and 4)

Grade, designations and definition of quality of Nasik/Saurashtra/Bellary/Poona Onions

(Allium cepa)

| Grade designation | Special characteristics |                                      |   | General characteristics                            |
|-------------------|-------------------------|--------------------------------------|---|--|
|                   | Colour                  | *Size<br>(diameter in mm)<br>Minimum | Defective, diseased<br>and damaged bulbs<br>(per cent by weight)<br>Maximum % |  |
| 1                 | 2                       | 3                                    | 4   | 5  |
| Extra Big         | Light to Rosy           | 60mm                                 | 10.0  | The bulbs shall,—                                  |
| Big               | -do-                    | 40 mm                                | 10.0  | (1) be reasonably uniform in shape, size, colour,  |
| Medium            | -do-                    | 30 mm                                | 10.0  | and pungency characteristics of the variety/       |
| Small             | -do-                    | 20 mm                                | 10.0  | type.  |
| General £         | -do- Mixed              | 20 mm                                | 10.0  | (2) be mature, solid in feel, reasonably firm with |

\* Tolerance for size : For accidental errors in sizing, not more than 5.0 per cent by weight of the bulbs in any lot may be of next lower grade than the minimum diameter prescribed

Defective, diseased and damaged shall mean malformed bulbs and the bulbs internally or externally damaged, diseased or discoloured, materially affecting the quality. The decayed onions shall not exceed 2.0 per cent in any lot

£ General : This grade shall be allowed to be packed only against irrevocable Letter of Credit.

N.S. Grade†

- tough clinging skins.
- (3) be thoroughly cured and dried.
- (4) be free from dirt and other foreign material.
- (5) be free from defectives, disease, decayed and damaged bulbs caused by seed stems, tops, roots, moisture, dry sun scaled, sun-burn, sprouting, mechanical or other injuries and staining to the extent as specified under columns 4.
- (6) be free from moulds, soft rot and insect attack.

† N.S. Grade : This is not a grade in its strict sense but has been provided for the onions not covered under regular grades. Onions under this grade shall be exported only against a specific order from the foreign buyer indicating the quantity and quality of the produce required.

## SCHEDULE-III

(See rules 3 and 4)

Grade designations and definition of quality of 'Phol Crop' of Nasik Onions

(Allium Cepa L)

| Grade designation | Special characteristics |                                      |   | General characteristics.   |
|-------------------|-------------------------|--------------------------------------|---|--|
|                   | Colour                  | *Size<br>(diameter in mm)<br>Minimum | Defective, diseased<br>and damaged bulbs<br>(per cent by weight)<br>Maximum @ |  |
| 1                 | 2                       | 3                                    | 4   | 5  |
| Extra Big         | Light to Rosy           | 60 mm                                | 10.0  | The bulbs shall,—  |
| Big               | -do-                    | 40 mm                                | 10.0  | (1) be reasonably uniform in shape, size, colour and pungency characteristics of the variety/type.   |
| Medium            | -do-                    | 30 mm                                | 10.0  |  |
| Small             | -do- mixed              | 20 mm                                | 10.0  |  |
| General £         | -do-                    | 20 mm                                | 10.0  | (2) be mature, solid in feel, reasonably firm with tough clinging skins.   |
| N.S. Grade †      | ..                      | ..                                   | ..  | (3) be thoroughly cured and dried.   |
|                   |                         |                                      |   | (4) be free from dirt and other foreign material.  |
|                   |                         |                                      |   | (5) be free from defectives, diseased, decayed and damaged bulbs caused by seed stems, tops, roots, moisture, dry sun scaled, sun-burn, sprouting mechanical or other injuries and staining to the extent as specified under column 4. |
|                   |                         |                                      |   | (6) The percentage of seed stems of onions shall not exceed 20 per cent.   |
|                   |                         |                                      |   | (7) be free from moulds, soft rot and insect attack.   |

\* Tolerance for Size : For accidental errors in sizing, not more than 5.0 per cent by weight of the bulbs in any lot may be of next lower grade than the minimum diameter prescribed.

@ Defective diseased and damaged shall mean malformed bulbs and the bulbs internally or externally damaged, diseased or discoloured, materially affecting the quality. The decayed onions shall not exceed 2.0 per cent in any lot.

£ General : This grade shall be allowed to be packed only against irrevocable letter of Credit.

† N.S. Grade : This is not a grade in its strict sense but has been provided for the onions not covered under regular grades. Onions under this grade shall be exported only against a specific order from the foreign buyer indicating the quantity and quality of the produce required".

का० प्रा० 3421.—सूजी और मैदा श्रेणीकरण और चिह्नांकन नियम, 1977 का एक प्रारूप, कृषि उपत्र (श्रेणीकरण और चिह्नांकन) अधिनियम, 1937 (1937 का 1) की धारा 3 की अपेक्षानुसार भारत सरकार के कृषि और भिन्नाई मंत्रालय (ग्राम विकास विभाग) की अधिसूचना सं० का० प्रा० 231, तारीख 30 नवम्बर, 1977 के अधीन भारत के राजपत्र, भाग 2, खण्ड 3, उपखण्ड (ii), तारीख 28 जनवरी, 1978 के पृष्ठ 223 से 228 पर प्रकाशित किया गया था, जिसमें राजपत्र में उक्त अधिसूचना के प्रकाशन की तारीख से पैंतालीस दिन की अवधि की समाप्ति के पूर्व उन सभी व्यक्तियों से आपत्तियाँ और सुझाव मांगे गए थे, जिनके उससे प्रभावित होने की संभावना थी;

और उक्त राजपत्र की प्रतिया 28 जनवरी, 1978 को जनता को उपलब्ध करा दी गई थी।

और केन्द्रीय सरकार ने उक्त प्रारूप की बाबत जनता से प्राप्त आपत्तियों और सुझावों पर विचार कर लिया है,

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निम्नलिखित नियम बनाती है, अर्थात्:—

1 सक्षिप्त नाम और प्रारम्भ:—(1) इन नियमों का नाम सूजी और मैदा श्रेणीकरण और चिह्नांकन नियम, 1979 है।

(2) ये भारत में उत्पन्न सूजी और मैदा को लागू होंगे।

2 परिभाषाएं:—इन नियमों में:—

(क) “कृषि विपणन सलाहकार” से कृषि विपणन सलाहकार, भारत सरकार, अभिप्रेत है,

(ख) “प्राधिकृत पैकर” से ऐसा व्यक्ति या व्यक्तियों का निकाय अभिप्रेत है जिसे साधारण श्रेणीकरण और चिह्नांकन नियम, 1937 के नियम 3 के अधीन, सूजी और मैदा के सम्बन्ध में, प्राधिकार-पत्र जारी किया गया है।

(ग) “अनुसूची” से इन नियमों से उपाखण्ड अनुसूची अभिप्रेत है।

3. श्रेणी नाम:—सूजी और मैदा की क्वालिटी को उपदर्शित करने वाला श्रेणी नाम, अनुसूची 3 और 4 स्तम्भ 1 में यथादर्शित होगा।

4. क्वालिटी की परिभाषा:—श्रेणी नामों द्वारा यथादर्शित क्वालिटी, अनुसूची 3 के स्तम्भ 2 से 8 तक और अनुसूची 4 के स्तम्भ 2 से 7 तक उक्त नामों के सामने यथादर्शित होगी।

5. श्रेणी नाम चिह्न:—श्रेणी नाम चिह्न, कृषि विपणन सलाहकार द्वारा दिया गया एक ऐसा लेबल, जिस पर श्रेणी नाम चिह्नित होगा और अनुसूची 1 में बताए गए चिह्न के साथ एक डिजाइन (“एम्बार्ग” शब्द सहित भारत का मानचित्र और ‘भारतीय उत्पाद’ पद सहित उगते हुए सूर्य का चिह्न होगा) होगी।

टिप्पण:—(1) प्रत्येक लेबल पर कम संख्यांक और शृंखला सूचित करने वाला/वाले अक्षर मुद्रित किए जाएंगे, उदाहरणार्थ क-004378

(2) कागज या कपड़े के थैलों पर प्रयुक्त होने वाले श्रेणी नाम चिह्न श्रेणी नाम चिह्नित करने वाला चिपकाया गया लेबल होगा।

(3) बी टबील-पटसन के थैलों पर प्रयोग किया जाने वाला श्रेणी नाम चिह्न एक ऐसे बाँधा जाने वाला आयताकार लेबल होगा जो श्रेणी नाम उपदर्शित करता हो।

6. चिह्नांकन की पद्धति:—(1) श्रेणी नाम चिह्न कृषि विपणन सलाहकार द्वारा अनुमोदित रीति से प्रत्येक आधान पर स्पष्ट रूप से चिपकाया जाएगा।

(2) श्रेणी नाम चिह्न के अतिरिक्त प्रत्येक आधान पर निम्नलिखित विनिर्दिष्ट स्पष्ट रूप से अंकित की जाएंगी, अर्थात्:—

(क) पैकिंग की तारीख;

(ख) साठ संख्यांक,

(ग) पैकर का नाम और पता, और

(घ) शुद्ध भार।

(3) प्राधिकृत पैकर, कृषि विपणन सलाहकार का पूर्व अनुमोदित प्राप्त करने के पश्चात् आधान पर अपना निजी व्यापार चिह्न, उक्त अधिकारी द्वारा अनुमोदित रीति से, अंकित कर सकेगा; परन्तु यह तब जब कि निजी व्यापार चिह्न, सूजी और मैदा की उस क्वालिटी श्रेणी में निम्न क्वालिटी श्रेणी उपदर्शित न करता जो इन नियमों के अनुसार आधान पर चिपकाया गया श्रेणी नाम चिह्न उपदर्शित करता है।

7. पैकिंग की पद्धति:—(1) केवल कागज, कपड़े, बी-टबील पटसन या अन्य किसी पदार्थ के, जो कृषि विपणन सलाहकार अनुमोदित करें, बने मजबूत, स्वच्छ और शुद्ध आधान ही पैकिंग के लिए प्रयुक्त होंगे। आधान, कोटाणु-मक्रमण या कसंदा सूक्ष्मण से मुक्त होंगे और किसी भी अवांछनीय गन्ध से मुक्त होंगे।

(2) आधान, कृषि विपणन सलाहकार द्वारा अनुमोदित रीति से, मजबूती के साथ बन्द और मोहरबन्द किये जाएंगे।

(3) प्रत्येक पैकेजों में केवल एक ही श्रेणी नाम की सूजी और मैदा होगी।

8. प्राधिकार-पत्र की विशेष शर्तें:—साधारण श्रेणीकरण और चिह्नांकन नियम, 1937 के नियम 4 में विनिर्दिष्ट शर्तों के अतिरिक्त, अनुसूची 2 में बताई गई शर्तें भी, इन नियमों के प्रयोजनार्थ जारी किए गए प्रत्येक प्राधिकार-पत्र की शर्तें होंगी।



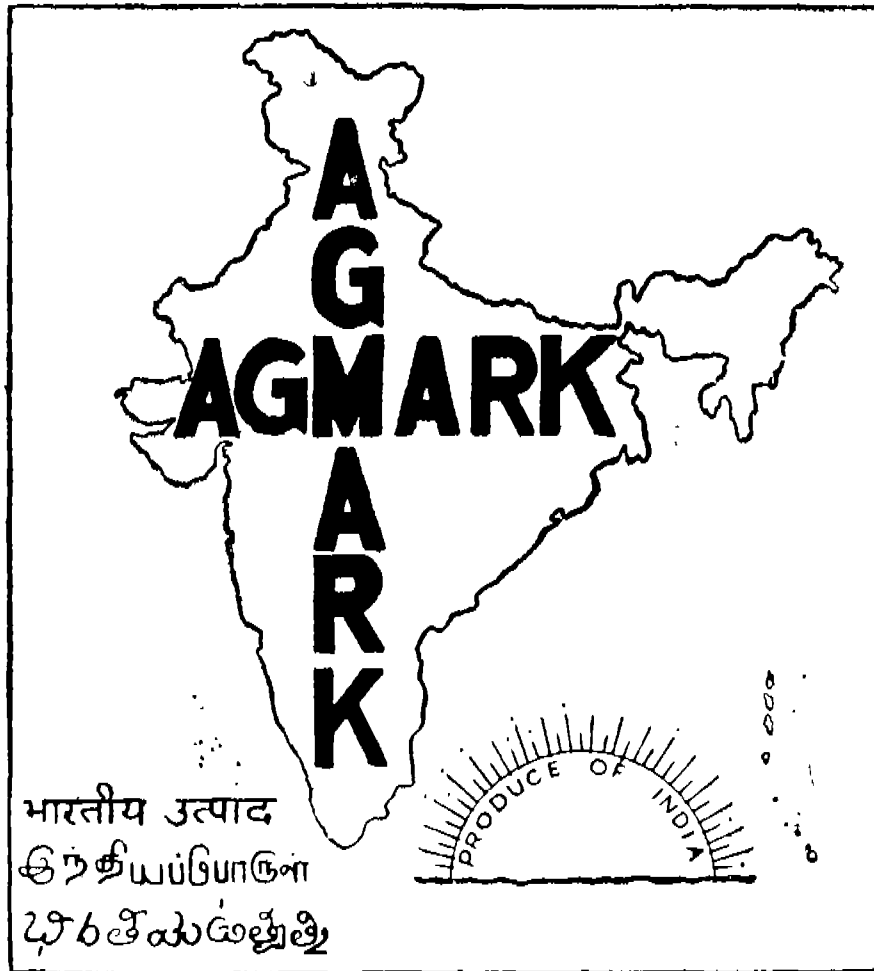
अनुसूची

(नियम 5 देखिए)

श्रेणी नाम निम्न

अनुसूची 2

(नियम 8 देखिए)



प्राधिकार पत्र की विशेष शर्तें—

(क) प्राधिकृत पैकर अण्डारकरण और प्रसंस्करण के दौरान गेहूं के साथ अन्य अनाजी के मिल जाने से बचाने के लिए, सभी मावधानी बरनेगा।

(ख) प्राधिकृत पैकर सूजी और मैदा के परीक्षण के लिए ऐसी व्यवस्था करेगा जो कृषि विपणन सलाहकार समय-समय पर अधिकथित करे। वह नमूना के विश्लेषण का समुचित अभिलेख भी रखेगा।

(ग) नमूने लेने और विश्लेषण करने, प्राधान का साहचर्य और जिम्नाकित करने अभिलेख रखने और विवरणियां आवि प्रस्तुत करने की रीति के संबंध में कृषि विपणन सलाहकार द्वारा समय-समय पर जारी किए गए सभी अनुदेशों का कठोरता से पालन किया जाएगा।

(घ) उत्पादित सूजी और मैदा के प्रत्येक लाट से, कृषि विपणन सलाहकार द्वारा अधिकथित रीति में लिया गया सूजी और मैदा का एक नमूना नियंत्रण प्रयोगशाला को भेजा जाएगा जिसके लिए समय-समय पर निवेश दिया जाए।

(ङ) प्राधिकृत पैकर, कृषि विपणन सलाहकार द्वारा इस निमित्त सम्यक्त प्राधिकृत निरीक्षक अधिकारी को आवश्यक सभी सुविधाएं प्रदान करेगा।

## अनुसूची 3

| (आ)             | सूची (आ) का क्वालिटी का श्रेणी नाम और परिभाषा  |  |   |  |  |  | साधारण लक्षण   |
|-----------------|--|--|---|--|--|--|--|
| श्रेणी नाम      | विशेष लक्षण  |  |   |  |  |  | साधारण लक्षण   |
|                 | कणों का आकार (मिले या माइक्रोन के बोल्टित कणों की आई०एस० 710 माइक्रोन छलनी पर ठहर जाने वाला प्रतिशत) | नमी का प्रतिशत (भार के आधार पर) जो निम्नलिखित से अधिक नहीं होगा। | कुल राख का प्रतिशत (भार के आधार पर जो निम्नलिखित से अधिक नहीं होगा। | शुष्क भार के आधार पर अम्ल से अविलेय राख का प्रतिशत, जो शुष्क भार के आधार पर अम्लता (जैसे एच <sub>2</sub> एस प्रो <sub>4</sub> ) जो अधिक नहीं होगा। | 90 प्रतिशत एथनाल में भार के आधार पर अम्लकोहलीय अम्लता (जैसे एच <sub>2</sub> एस प्रो <sub>4</sub> ) जो शुष्क भार के आधार पर निम्नलिखित से अधिक नहीं होगा। | शुष्क भार के आधार पर ग्लूटेन प्रतिशत, जो निम्नलिखित से कम नहीं होगा। | साधारण लक्षण   |
| 1               | 2  | 3  | 4   | 5  | 6  | 7  | 8  |
| ब.क (बड़े कण)   | न्यूनतम 90   | 13.5   | 1.0   | 0.05   | 0.10   | 6.0  | (1) सूजी अच्छे और स्वच्छ गेहूं को पीस कर प्राप्त की जाएगी।<br>(2) इसका लाक्षणिक स्वाद, गंध और क्रीम पीत रंग होगा।<br>(3) यह फफूंदी गंध कीटाणु संक्रमण, फफूंदी संक्रमण और वाष्प पदार्थों से मुक्त होगी।<br>(4) समस्त पदार्थ 1.18 मि०मी० आई०एस० छलनी से गुजरेगा और कम से कम 98 प्रतिशत 250 माइक्रोन आई०एस० छलनी पर रोक लिया जाएगा। |
| छो०क० (छोटे कण) | अधिकतम 10  | 18.5   | 1.0   | 0.25   | 0.10   | 6.0  |  |

## अनुसूची 4

मैदा की क्वालिटी का श्रेणी-अभिधान और परिभाषा  
(नियम 3 और 4 देखिए)

| श्रेणी अभिधान  | विशेष लक्षण   |   |   |  |   | साधारण लक्षण  |
|----------------|---|---|---|--|---|---|
|                | भार के आधार पर नमी का प्रतिशत जो निम्नलिखित से अधिक नहीं होगा | कुल राख, प्रतिशत (शुष्क भार के आधार पर जो निम्नलिखित से अधिक नहीं होगा) | शुष्क भार के आधार पर अम्ल से अविलेय राख का प्रतिशत, जो निम्नलिखित से अधिक नहीं होगा | 90 प्रतिशत अल्कोहल में भार के आधार पर अम्लकोहलीय अम्लता (जैसे एच <sub>2</sub> एस प्रो <sub>4</sub> ) का प्रतिशत, जो निम्नलिखित से अधिक नहीं होगा | भार के आधार पर ग्लूटेन का प्रतिशत जो निम्नलिखित से कम नहीं होगा |   |
| 1              | 2   | 3   | 4   | 5  | 6   | 7   |
| हार्ड ग्लूटेन  | 13.0  | 1.0   | 0.05  | 0.1  | 10.0  | (1) मैदा स्वच्छ सफ़ेद या नर्म गेहूं या उसके मिश्रण को पीस कर प्राप्त की जाएगी।  |
| मीडियम ग्लूटेन | 13.0  | 0.70  | 0.05  | 0.1  | 8.0   | (2) इसका लाक्षणिक स्वाद और गंध होगी तथा वह कीटाणु और फफूंदी संक्रमण, कुतस संक्रमण धूल और अन्य वाष्प पदार्थों से मुक्त होगी। |
| लो ग्लूटेन     | 13.0  | 0.70  | 0.05  | 0.1  | 7.0   |   |

**S.O. 3421.**—Whereas certain draft of the Suji and Maida Grading and Marking Rules, 1977, was published, as required by Section 3 of the Agricultural Produce (Grading and Marking) Act, 1937, (I of 1937), on pages 223 to 228 of the Gazette of India, Part II, Section 3, Sub-section (ii), dated the 28th January, 1978, under the notification of the Government of India in the Ministry of Agriculture and Irrigation (Department of Rural Development) No. S. O. 251, dated the 30th September, 1977, inviting objections and suggestions from all persons likely to be affected thereby before the expiry of the period of forty-five days from the date of publication of the said notification in the Official Gazette;

And whereas the copies of the said Gazette were made available to the public on the 28th January, 1978;

And whereas the objections and suggestions received from the public on the said draft have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by Section 3 of the said Act, the Central Government hereby makes the following rules, namely :—

#### RULES

1. Short title and application.—(i) These rules may be called the Suji and Maida Grading and Marking Rules, 1979.

(ii) They shall apply to Suji and Maida produced in India.

2. Definitions.—In these rules,—

(a) "Agricultural Marketing Adviser" means the Agricultural Marketing Adviser to the Government of India;

(b) "Authorised packer" means a person or a body of persons who has been granted a certificate of authorisation under Rule 3 of the General Grading and Marking Rules, 1937, in relation to Suji or Maida;

(c) "Schedule" means a schedule appended to these rules.

3. Grade designations.—The grade designations to indicate the quality of Suji and Maida shall be as set out in column I of Schedule III and IV.

4. Definition of quality.—The quality indicated by the grade designations shall be as set out against the said designations in columns 2 to 8 of Schedule III and 2 to 7 of Schedule IB.

5. Grade designation mark.—The grade designation mark shall consist of a label supplied by the Agricultural Marketing Adviser specifying the grade designation and bearing a design (consisting of an outline map of India with the word AGMARK and the figure of the rising sun with the words "Produce of India") resembling the mark set out in Schedule I.

Note : (i) Each label shall have printed thereon a serial number along with a letter or letters denoting the series, e.g., A .004373.

(ii) The grade designation mark to be used on paper or cloth bags shall consist of a paste-on label specifying the grade designation.

(iii) The grade designation mark to be used on B-twill jute bags shall consist of a rectangular tie-on label specifying the grade designation.

6 Method of marking.—(i) The grade designation mark shall be clearly affixed to every container in a manner approved by the Agricultural Marketing Adviser.

(ii) In addition to the grade designation mark, every container shall be clearly marked with the following particulars, namely :—

(a) date of packing;

(b) lot number;

(c) Name and address of packer; and

(d) net weight.

(iii) An authorised packer may, after obtaining the prior approval of the Agricultural Marketing Adviser, mark his private trade mark on a container in a manner approved by the said officer, provided the private trade mark does not represent quality or grade of the Suji and Maida different from that indicated by the grade designation mark affixed on the container in accordance with these rules.

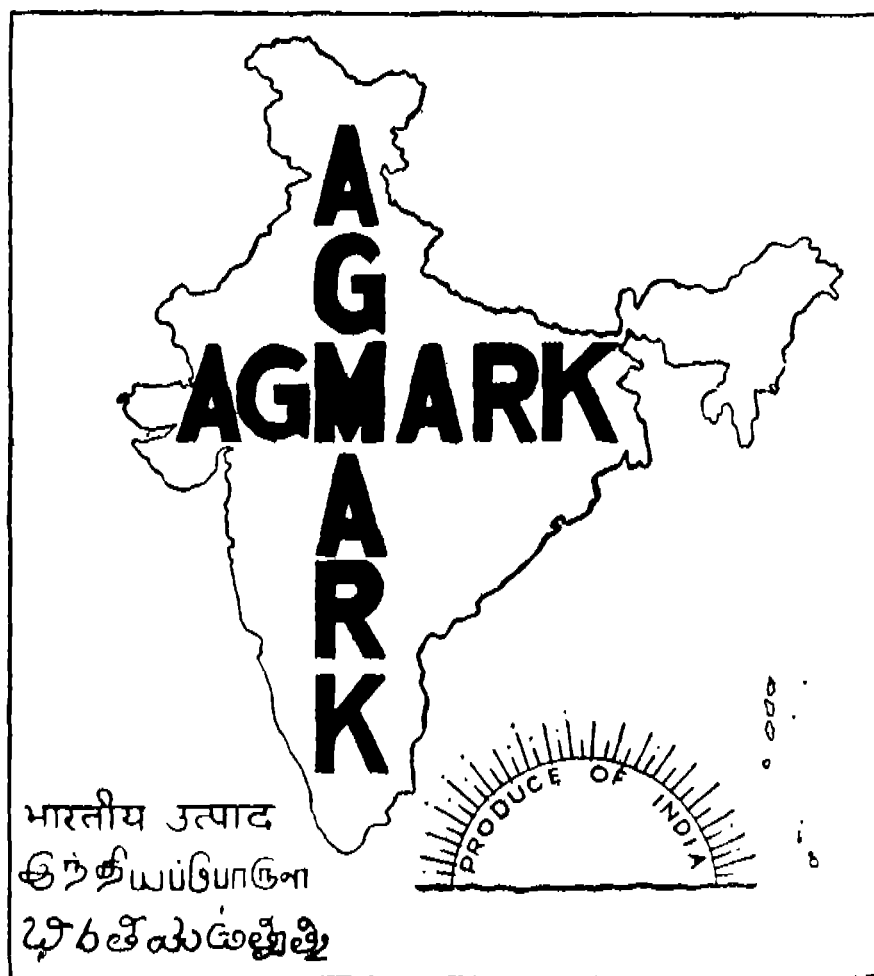
7. Method of packing.—(i) Only sound, clean and dry container made of paper, cloth B-twill jute or any other material as may be approved by the Agricultural Marketing Adviser, shall be used for packing. The container shall be free from any insect infestation or fungus contamination and also free from any undesirable smell.

(ii) The container shall be securely closed and sealed in the manner approved by the Agricultural Marketing Adviser.

(iii) Each package shall contain Suji or Maida of the same grade designation only.

8. Special conditions of Certificate of Authorisation.—In addition to the conditions specified in Rules 4 of the General Grading and Marking Rules, 1937, the conditions set out in Schedule II shall be the conditions of every certificate of authorisation issued for the purpose of these rules.

**SCHEDULE I**  
(See rule 5)  
Grade designation mark



**SCHEDULE II**  
(See Rule 8)

Special conditions of Certificate of Authorisation.—(a) An authorised packer shall take all precautions to avoid admixture of other grains with the wheat during storage and processing.

(b) An authorised packer shall make such arrangement for testing Suji and Maida as may be laid down from time to time by the Agricultural Marketing Adviser. He shall also maintain proper records of the analysis of samples.

(c) All instructions regarding the method of sampling and analysis, sealing and marking of containers, the maintenance of

records and submission of returns, etc., which may be issued from time to time by the Agricultural Marketing Adviser, shall be strictly observed.

(d) A sample of Suji and Maida drawn in a manner laid down by the Agricultural Marketing Adviser from each lot of Suji and Maida produced shall be forwarded to such control laboratory as may be directed from time to time.

(e) An authorised packer shall provide all such facilities as may be necessary to the Inspecting Officers duly authorised by the Agricultural Marketing Adviser in this behalf.

**SCHEDULE III**

(See Rules 3 and 4)

(Grade designations and definition of quality of Suji (Rawa))

| Grade designation         | Special characteristics   |   |   |   |   |   | General characteristics.                                      |
|---------------------------|---|---|---|---|---|---|---|
|                           | Particle size (per cent) retained on IS. 710 Micron sieve of silk or nylon bolting cloth. | Moisture per cent by weight not exceeding | Total ash per cent (on dry weight basis) not exceeding. | Acid insoluble ash per cent (on dry weight basis) not exceeding | Alcoholic acidity (as H <sub>2</sub> SO <sub>4</sub> ) in 90% ethanol per cent (on dry weight basis) not exceeding. | Gluten per cent by weight (on dry weight basis) not less than |   |
| 1                         | 2   | 3   | 4   | 5   | 6   | 7   | 8   |
| L—P.<br>(Large Particles) | Minimum<br>90   | 13.5                                      | 1.0   | 0.05  | 0.10  | 6.0   | (1) Suji shall be obtained by grinding sound and clean wheat. |

| 1                         | 2             | 3    | 4   | 5    | 6    | 7   | 8   |
|---------------------------|---------------|------|-----|------|------|-----|---|
|                           |               |      |     |      |      |     | (2) It shall have a characteristic taste, smell and creamy yellow colour.   |
| S.P.<br>(Small Particles) | Maximum<br>10 | 13.5 | 1.0 | 0.05 | 0.10 | 6.0 | (3) It shall be free from musty odour, insect infestation, fungus infection and extraneous matter.                                |
|                           |               |      |     |      |      |     | (4) All the material shall pass through 1.18 mm. IS Sieve and not less than 98 per cent shall be retained on 250 micron IS sieve. |

## SCHEDULE IV

(See rules 3 and 4)

## Grade designations and definition of quality of Maida

| Grade designation | Special Characteristics                   |  |   |  |  | General Characteristics.   |
|-------------------|---|--|---|--|--|--|
|                   | Moisture per cent by weight not exceeding | Total ash per cent (on dry weight basis) not exceeding | Acid insoluble ash per cent (on dry weight basis) not exceeding | Alcoholic acidity (as H SO 4) in 90 % alcohol per cent by weight not exceeding | Gluten per cent by weight not less than. |  |
| 1                 | 2   | 3  | 4   | 5  | 6  | 7  |
| High gluten       | 13.0                                      | 1.0  | 0.05  | 0.1  | 10.0                                     | 1. Maida shall be obtained by milling sound and clean, hard or soft wheat or blends thereof.   |
| Medium Gluten     | 13.0                                      | 0.70   | 0.05  | 0.1  | 8.0                                      | 2. It shall have a characteristic taste and smell and shall be free from insect and fungus infection, rodent contamination, dirt, and other extraneous matter. |
| Low Gluten        | 13.0                                      | 0.70   | 0.05  | 0.1  | 7.0                                      |  |

[No. 13-6/77-AM]

का० आ० 3422.—केन्द्रीय सरकार, कृषि उपज (श्रेणीकरण और चिह्नान्कन) अधिनियम, 1937 (1937 का 1) की धारा 3 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, तम्बाकू श्रेणीकरण और चिह्नान्कन नियम, 1937 में और संशोधन करना चाहती है। जैसा कि उक्त धारा में अपेक्षित है, प्रस्तावित संशोधनों का निम्नलिखित प्रारूप उन सभी व्यक्तियों की जानकारी के लिए प्रकाशित किया जा रहा है, जिनके उससे प्रभावित होने की संभावना है। इसके द्वारा सूचना दी जाती है कि उक्त प्रारूप पर अधिसूचना के राजपत्र में प्रकाशन की तारीख से 45 दिन के पश्चात् विचार किया जाएगा।

उपरोक्त अधि में विनिर्दिष्ट तारीख से पूर्व नियमों के उक्त प्रारूप की धारत जो भी आपनियों या सुझाव किसी व्यक्ति से प्राप्त होंगे, केन्द्रीय सरकार उन पर विचार करेगी।

## प्रारूप नियम

1. (1) इन नियमों का नाम तम्बाकू श्रेणीकरण और चिह्नान्कन (संशोधन) नियम 1979 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. तम्बाकू श्रेणीकरण और चिह्नान्कन नियम, 1937 में, अनुसूची 2 के पश्चात् अनुसूची 2-अ के रूप में निम्नलिखित अनुसूची अस्त-स्थापित की जाएगी, अर्थात् :—

## अनुसूची 2-ख

(नियम 2 और 3 देखिए)

प्रान्ध प्रदेश और कर्नाटक राज्यों की हल्की मूदा में उगाई गई अतिनिर्मित भूमनाल संसाधित वर्जिनिया तम्बाकू की क्वालिटी का श्रेणी नाम परिभाषा (पावप स्थिति)

| पावप स्थिति    | श्रेणी                        | रंग  | स्पाट क्लव/अन/प्रपशिष्ट का प्रतिशत | परिपक्वता/दाना रचना   | मुख्य भाग      | पत्ती का वर्णन  |
|----------------|-------------------------------|--|------------------------------------|---|----------------|---|
| 1              | 2                             | 3  | 4                                  | 5   | 6              | 7   |
| प्राथमिक       | पी 1                          | चमकीला हल्का पीला या सन्तरी  | 15-20%                             | अधिक पका और दानेदार   | बहुत पतला      | समुन्कि जिससे पता चलता है कि काफी मात्रा में क्षति हुई है।  |
|                | पी 2                          | हल्का पीला या सन्तरी   | 20-30%                             | -यथोक्त-  | -यथोक्त-       | -यथोक्त-  |
|                | पी 3                          | -यथोक्त-   | 30-55%                             | -यथोक्त-  | -यथोक्त-       | -यथोक्त-  |
|                | पी 4                          | भूरा (गहरा)  | 80% तक                             | -यथोक्त-  | -यथोक्त-       | -यथोक्त-  |
|                | पी 5                          | भूरा   | 80% से अधिक                        | -यथोक्त-  | -यथोक्त-       | -यथोक्त-  |
| लग और कर्तक    | एक्स 1                        | चमकदार हल्का पीला या सन्तरी  | 20% तक                             | पका और अधिक मध्यम पतला  |                | चौड़ी पत्ती और अकोण सिरों से काफी चौड़ी हुई-लचीली-उत्तम बनावट और प्राकृतिक चमक।   |
|                | एक्स 2                        | हल्का पीला या सन्तरी   | 20-30%                             | -यथोक्त-  | -यथोक्त-       | -यथोक्त-  |
|                | एक्स 3                        | -यथोक्त-   | 30-55%                             | -यथोक्त-  | -यथोक्त-       | -यथोक्त-  |
|                | एक्स 4                        | भूरा   | 80% तक                             | -यथोक्त-  | -यथोक्त-       | -यथोक्त-  |
|                | एक्स 5                        | -यथोक्त-   | 80% से अधिक                        | -यथोक्त-  | -यथोक्त-       | -यथोक्त-  |
| पत्ती          | एल 1                          | चमकदार सन्तरी या हल्का पीला  | 20% तक                             | पका और मध्यम दानेदार  | मध्यम से भारी  | सामान्यतः लम्बी किन्तु कर्तक जैसी चौड़ी नहीं गोंधी किन्तु अधिक लचीली नहीं जिसमें साधारणतया मध्यगिरा और अन्य शिराएं उभरी हुई हैं |
|                | एल 2                          | सन्तरी या हल्का पीला   | 20-30%                             | -यथोक्त-  | -यथोक्त-       | -यथोक्त-  |
|                | एल 3                          | हल्का पीला या सन्तरी   | 30-55%                             | -यथोक्त-  | -यथोक्त-       | -यथोक्त-  |
|                | एल 4                          | भूरा   | 80% तक                             | -यथोक्त-  | -यथोक्त-       | -यथोक्त-  |
|                | एल 5                          | भूरा या महागनी   | 80% से अधिक                        | -यथोक्त-  | -यथोक्त-       | -यथोक्त-  |
| टिप            | टी 2                          | हल्का पीला या सन्तरी   | 30% तक                             | पके मध्यम से संवृत दानेदार  | मध्यम से भारी  | पत्तली धार व तले नोकदार काने। तेज गहरे रंग वाली अपरिष्कृत रचना।   |
|                | टी 3                          | -यथोक्त-   | 30-55%                             | -यथोक्त-  | -यथोक्त-       | -यथोक्त-  |
|                | टी 4                          | भूरा   | 80% तक                             | -यथोक्त-  | -यथोक्त-       | -यथोक्त-  |
|                | टी 5                          | भूरा या महागनी   | 80% से अधिक                        | -यथोक्त-  | -यथोक्त-       | -यथोक्त-  |
|                | बी जी (बाटम ग्रीन)            | चमकदार पीला या हल्का पीला या सन्तरी से हल्का भूरा पीला या हरी पुट सहित सन्तरी या हल्का पीला।           | 25% तक                             | पका, दानेदार बढ़िया से मध्यम  | हल्के से मध्यम | ---   |
| “एल” एण्ड “टी” | टी जी (टांग ग्रीन)            | गहरा पीला या हल्का पीला या हरी पुट सहित हल्का भूरा पीला।   | -यथोक्त-                           | पके से अधपका मध्यम से भारी कम से संवृत दाने-दार, मध्यम से अपरिष्कृत |                | ---   |
|                | बी०एम०जी० (बाटम मीडियम ग्रीन) | चमकदार पीला या हल्का पीला या सन्तरी से हल्का भूरा पीला या उस पर हरी रंग की झलक सहित सन्तरी हल्का पीला। | 50% तक                             | पका, दानेदार बढ़िया से मध्यम  | हल्के से मध्यम | ---   |

| 1                 | 2                                  | 3  | 4   | 5   | 6             | 7 |
|-------------------|------------------------------------|--|-----|---|---------------|---|
| "एल" एण्ड<br>"टी" | टी०एम०जी०<br>(टाप मीडियम<br>ग्रीन) | गहरे हल्के पीले या सन्तरी<br>से भूरा सन्तरी या उस<br>पर हरे रंग की झलक<br>सहितपीला | 50% | पके से<br>कम दानेदार से<br>क्योंकि दानेदार<br>मध्यम से अपरिणत | मध्यम से भारी |   |

[सं० 10-4/78-ए०एम०]

## DRAFT RULES

**S.O. 3422.**—The following draft of rules further to amend the Tobacco Grading and Marking Rules, 1937 which the Central Government proposes to make in exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937) is hereby published as required by the said section for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the expiry of a period of 45 days from the date of publication of this notification in the Official Gazette.

Any objections or suggestions which may be received from any person with respect to the said draft before the date specified above will be considered by the Central Government.

- (1) These rules may be called the Tobacco Grading and Marking (Amendment) Rules, 1979.
- (2) They shall come into force on the date of their publication in the Official Gazette.
2. In the Tobacco Grading and Marking Rules, 1937, after Schedule II, the following schedule shall be inserted as Schedule II-B namely :—

## SCHEDULE II-B

(Sec Rules 2 and 3)

Grade designation and definition of quality of unmanufactured Fluecured Virginia Tobacco grown in the light soils of Andhra Pradesh and Karnataka States (Plant position).

| Plant Position | Grade | Colour                 | Spot Blemish/ injury/waste in terms of percentage | Maturity/grain/ texture | Body                    | Description of leaf.   |
|----------------|-------|------------------------|---|-------------------------|-------------------------|--|
| 1              | 2     | 3                      | 4   | 5                       | 6                       | 7  |
| PRIMINGS       | P1    | Bright Lemon or Orange | 15 to 20%   | More ripe and grainy    | very thin               | Being send leaf shows a material amount of injury.   |
|                | P2    | Lemon or Orange        | 20 to 30%   | -do-                    | -do-                    | -do-   |
|                | P3    | -do-                   | 30 to 55%   | -do-                    | -do-                    | -do-   |
|                | P4    | Brownish (ruch)        | upto 80%  | -do-                    | -do-                    | -do-   |
|                | P5    | Brownish               | More than 80%                                     | -do-                    | -do-                    | -do-   |
| LUGS AND       |       |                        |   |                         |                         |  |
| CUTTERS        | X1    | Bright Lemon or Orange | upto 20%  | Ripe and very grainy    | Thin to Medium          | Broader leaf with wider spread from butt ends-Elasticity-fine texture with natural lustre.                           |
|                | X2    | Lemon or Orange        | 20 to 30%   | -do-                    | -do-                    | -do-   |
|                | X3    | -do-                   | 30 to 55%   | -do-                    | -do-                    | -do-   |
|                | X4    | Brownish               | upto 80%  | -do-                    | -do-                    | -do-   |
|                | X5    | -do-                   | More than 80%                                     | -do-                    | -do-                    | -do-   |
| LEAF           | L1    | Birght Orange or Lemon | upto 20%  | Ripe and Medium grainy  | Medium to heavy bodied. | Usually long, but not as broad as cutters-Gummy but not very elastic. Generally having pronounced mid-rib and veins. |
|                | L2    | Orange or Lemon        | 20 to 30%   | -do-                    | -do-                    | -d -   |
|                | L3    | Lemon or Orange        | 30 to 55%   | -do-                    | -do-                    | -do-   |
|                | L4    | Brownish               | Upto 80%  | -do-                    | -do-                    | -do-   |
|                | L5    | Brownish or Mahagony.  | More than 80@                                     | -do-                    | -do-                    | -do-   |

| 1         | 2                                       | 3  | 4             | 5  | 6                       | 7   |
|-----------|---|--|---------------|--|-------------------------|---|
| TIPS      | T2                                      | Lemon or Orange  | Upto 30%      | Under ripe medium to close grained.                                | Medium to heavy bodied. | Pointed tips with narrow blade Coarse texture having deep colour intensity. |
|           | T3                                      | -do-   | 30 to 55 %    | -do-   | -do-                    | -do-  |
|           | T4                                      | Brownish   | upto 80%      | -do-   | -do-                    | -do-  |
|           | T5                                      | Brownish or Mahagony   | More than 80% | -do-   | -do-                    | -do-  |
| "P" & "X" | BCG. (Bot-<br>tom<br>green)             | Birght Yellow or Lemon or Orange to light Brownish Yellow or Orange or Lemon with Greenish Tinge on. | upto 25%      | Ripe, Grainy, Fine to Medium.                                      | Light to Medium         | —   |
| "L" & "T" | T.G. (Top<br>green)                     | Deep Yellow or Lemon or Orange to light brownish Yellow with greenish tinge. on.                     | -do-          | Ripe to under ripe, less grainy, Medium to coarse.                 | Medium to heavy.        | —   |
| "P" & "X" | B.M.G. (Bott-<br>om<br>Medium<br>Green) | Birght Yellow or Lemon or Orange to light Brownish Yellow or orange lemon with green cast on.        | Upto 50%      | Ripe, Grainy, Fine to Medium                                       | Light to Medium         | —   |
| "L" & "T" | T.M.G. (Top<br>Medium<br>Green)         | Deep Lemon Yellow or Orange to light brownish orange or yellow with green cast on.                   | -do-          | Ripe to under-ripe less grainy to close grained, Medium to Coarse. | Medium to heavy         | —   |

[No 10-4/78-AM]

का०आ० 3423—केन्द्रीय सरकार, कृषि उपज (श्रेणीकरण और चिह्नान्कन) अधिनियम 1937 (1937 का 1) की धारा 3 के खण्ड (च) और माध्यम श्रेणीकरण और चिह्नान्कन नियम, 1937 के नियम 4 के खण्ड (स) और (ट) के अनुसरण में, इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से, निर्यात के लिए एगमार्क के अधीन श्रेणीकृत बासमती चावल के पैकेजों पर लगाए जाने वाले एगमार्क लेबलों के लिए नीचे लिखे प्रकार नियत करती है, अर्थात्:—

S.O. 3423.—In pursuance of clause (f) of section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937) and clauses (i) and (k) of rule 4 of the General Grading and Marking Rules, 1937, the Central Government hereby fixes, with effect from the date of publication of this notification in the Official Gazette, the undermentioned charges for Agmark labels to be affixed on the packages of Basmati Rice graded under Agmark for export, namely:—

प्रति 10 किलोग्राम या उसके किसी भाग पर, 25 पैसे।

25 paise per 10 kg. or part thereof.

[सं० 10-2/79-ए०एम०]

[No. F. 10-2/79-AM]

का०आ० 3424.—कृषि उपज (श्रेणीकरण और चिह्नान्कन) अधिनियम 1937 (1937 का 1) की धारा 3 द्वारा यथा अपेक्षित रूप में खली (पैरी गई या विलायक निस्सारित) श्रेणीकरण और चिह्नान्कन नियम, 1978 का प्रावधान, भारत सरकार के कृषि और विपणन मंत्रालय (ग्रामीण विकास विभाग) की अधिसूचना सं० का०आ० 252 तारीख 9 जनवरी, 1978 के अधीन भारत के राजपत्र भाग 2 खंड 3, उपखण्ड (ii) तारीख 28 जनवरी, 1978 के पृष्ठ 228 से 250 पर प्रकाशित किया गया था, जिसमें उक्त अधिसूचना के राजपत्र में प्रकाशन की तारीख से 45 दिन की अवधि की समाप्ति के पूर्व उन सभी व्यक्तियों से आशेष और मुआयन मांगे गए थे जिनके उससे प्रभावित होने की संभावना थी,



और उक्त राजपत्र की प्रतियां 28 जनवरी, 1978 को उपलब्ध करा दी गई थी,

और उक्त प्रमाण की बायन जनता में कोई आपत्ति या गुमाय प्राप्त नहीं हुए है,

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, खली श्रेणीकरण और चिह्नांकन नियम, 1962 को अधिकांश करने हुए, निम्नलिखित नियम बनाती है, अर्थातः—

#### नियम

1. संक्षिप्त नाम— इन नियमों का नाम बनस्पति खली (पैरी गई या विलायक निस्सारित) श्रेणीकरण और चिह्नांकन नियम, 1978 है।

2. परिभाषाएं—इन नियमों में,—

(क) “सलाहकार”, में भारत सरकार का कृषि विपणन सलाहकार अभिप्रेत है,

(ख) “प्रमाण-पत्र” में प्राधिकरण प्रमाण-पत्र अभिप्रेत है,

(ग) “अनुसूची” में इन नियमों से संलग्न अनुसूची अभिप्रेत है।

3. श्रेणी का नाम :—खली (पैरी गई या विलायक निस्सारित) की क्वालिटी उपदर्शित करने वाले श्रेणी का नाम अनुसूची II क से IX ख तक के स्तम्भ (1) में यथा उपवर्णित होंगे।

4. क्वालिटी की परिभाषा :—श्रेणी नामों द्वारा उपवर्णित की गई क्वालिटी अनुसूची II क से IX ख तक में प्रत्येक श्रेणी नाम के सामने यथा उपवर्णित होंगी।

5. श्रेणी नाम चिह्न :—बनस्पति खली (पैरी गई या विलायक निस्सारित) के लिए श्रेणी नाम चिह्न एक लेबल होगा जिस पर अनुसूची 1 में उपवर्णित डिजाइन होंगी और श्रेणी नाम, खली का नाम तथा वह विनिर्दिष्ट होगा कि वह पैरी गई खली है या विलायक निस्सारित।

6. चिह्नांकन के पद्धति, (1) श्रेणी का नाम चिह्न प्रत्येक आधान पर सुरक्षित रूप में उस रीति में चिपकाया जाएगा या उस पर स्टेंसिल किया जाएगा जो सलाहकार अनुमोदित करे या उसमें सलाहकार द्वारा पैकर को जारी किए गए प्रमाण-पत्र का संख्यांक भी दर्शित किया जाएगा।

(2) प्रत्येक आधान पर निम्नलिखित विनिर्दिष्ट स्पष्ट और अमिट रूप में चिह्नित की जाएंगी:—

(क) लाट संख्यांक,

(ख) पैकर का नाम और पता,

(ग) पैकिंग की तारीख,

(घ) पैकिंग का स्थान।

(3) प्राधिकृत पैकर, सलाहकार का पूर्व अनुमोदन अभिप्राप्त करने के पश्चात्, आधान पर अपना प्राइवेट व्यापार चिह्न उस रीति में चिह्नित करेगा जो उक्त अधिकारी अनुमोदित करे,

परन्तु प्राइवेट व्यापार चिह्न से खली की एस क्वालिटी या श्रेणी से भिन्न क्वालिटी या श्रेणी व्यक्त नहीं होनी चाहिए जो इन नियमों के अनुसार आधान पर चिपकाए गए श्रेणी नाम चिह्न द्वारा उपदर्शित की गई है।

7. पैकिंग की पद्धति : (1) खली केवल जूट या अन्य पदार्थ से निर्मित ऐसे आधानों में पैक की जाएगी जो सलाहकार समय-समय पर अनुमोदित करे।

(2) प्रत्येक आधान मजबूती से बन्ध किया जाएगा और सील किया जाएगा और उसमें केवल एक व्यापार वर्णन तथा एक श्रेणी नाम की खली होगी।

8. प्रमाण-पत्र की शर्तें—इन नियमों के प्रयोजन के लिए जारी किए गये प्रत्येक प्राधिकरण—प्रमाण-पत्र की शर्तें निम्नलिखित होंगी, अर्थातः—

(क) प्राधिकृत पैकर ऐसी सभी पूर्वावधानियां बरतेगा जिसमें कि एरण्डी के बीज और एरण्डी की खली की मिलावट न हो सके,

(ख) यदि प्राधिकृत पैकर एक ही परिसर में एक से अधिक प्रकार की खली का कार्य करता है तो वह विभिन्न खलियों की मिलावट को रोकने के लिए पर्याप्त पूर्वावधानियां बरतेगा। परिसर साफ एवं स्वास्थ्यकर होने चाहिए और उन्हें काविक रूप में धूमिल किया जाना चाहिए।

(ग) प्राधिकृत पैकर खलियों के परीक्षण के लिए ऐसी व्यवस्था करेगा जो सलाहकार समय-समय पर विनिर्दिष्ट करे और नमूनों के विश्लेषण का उचित अभिलेख भी रखेगा।

(घ) नमूना लेने, विश्लेषण पैकिंग और चिह्नांकन करने तथा अभिलेख रखने की पद्धतियों के बारे में सभी अनुवर्णों का, जो सलाहकार समय-समय पर जारी करें, अनुपालन किया जाएगा।

(ङ) उस रीति में जैसी कि खली के प्रत्येक लाट से सलाहकार द्वारा विहित रूप में दिया गया नमूना ऐसी नियंत्रण-प्रयोगशाला को अर्पित किया जाएगा जो समय-समय पर अधिसूचित की जाए।

(च) श्रेणी नाम चिह्न केवल उन बस्तुओं पर लगाए जाएंगे जो प्रमाणपत्र में वर्णित हैं और इसमें वर्णित परिसर में ही लगाए जाएंगे,

(छ) प्रमाणपत्र के प्रवर्तन के दौरान, उसका धारक, सभी युक्तियुक्त समयों पर, सलाहकार या केन्द्रीय सरकार द्वारा सम्यक रूप से प्राधिकृत किसी व्यक्ति को ऐसे प्रमाणपत्र में नामित परिसर में जाने देगा और यह अभिलेखित करने के लिए सुविधाएं देगा कि चिह्नांकन ठीक रूप से किया जा रहा है।

(ज) प्रमाणपत्र धारक प्रत्येक श्रेणी नाम से चिह्नांकित पैकेजों की संख्या का अभिलेख रखेगा और सलाहकार केन्द्रीय सरकार द्वारा सम्यक रूप से प्राधिकृत किसी व्यक्ति को अभिलेख की परीक्षा करने देगा।

(घ) प्रमाणपत्र धारक, सम्यक रूप में प्राधिकृत किसी व्यक्ति या किसी भी श्रेणीकृत उत्पाद का नमूना लेने देगा या श्रेणी नाम से चिह्नित किसी पैकेज को खोलने और उसका निरीक्षण करने देगा परन्तु यह तब जब सभी नमूनों के लिए संदाय कर दिया जाए।

(ङ) सलाहकार या केन्द्रीय सरकार द्वारा इस निमित्त प्राधिकृत कोई व्यक्ति ऐसे किसी उत्पाद पर लगे किसी श्रेणी नाम चिह्न को रद्द कर सकेगा या उसे हटा सकेगा जिसे वह, वस्तु के लिए विहित क्वालिटी की परिभाषा के अनुरूप नहीं आता है:

परन्तु जब कभी श्रेणी नाम चिह्न, ऐसे किसी श्रेणीकृत उत्पाद से हटाए जाते हैं जो प्राधिकृत पैकरों का न होकर विनरों का है, तो प्राधिकृत पैकर, जब सलाहकार ऐसा निर्देश दे, श्रेणी नाम चिह्न के हटाए जाने के परिणामस्वरूप विनरों द्वारा उठाए गए नुकसान की पूर्ति करेगा। नुकसान उस अतिरिक्त मूल्य के आधार पर प्राक्कलित किया जाएगा जो कि समुचिततौर पर श्रेणीकृत उत्पाद के लिए अश्रेणीकृत उत्पाद की तत्समान मात्रा के बामू बाजार-मूल्य से अधिक प्राप्त होता है,

(ट) कृषि उपज (श्रेणीकरण और चिह्निकन) अधिनियम, 1937 (1937 का 1) के अधीन बनाए गए सभी नियमों का (और नमूना लेने, विपणन करने, कालिक विवरणियां देने आदि से संबंधित सभी अनुदेशों का, जो सलाहकार द्वारा समय-समय पर जारी किए जाएं) पालन किया जाएगा।

(ठ) सलाहकार या इस निमित्त सरकार द्वारा प्राधिकृत कोई भी व्यक्ति किसी भी प्रमाणपत्र को रद्द, प्रतिसंहृत, उपान्तरित या निलम्बित कर सकेगा, परन्तु यह तब जब प्रमाण पत्र धारक को, प्रमाणपत्र में दिए पते पर, चौदह दिन की लिखित सूचना दे दी गई हो और इस बाबत कारण बताने का अवसर दिया गया हो कि ऐसे उसका प्रमाणपत्र क्यों न रद्द, प्रतिसंहृत, उपान्तरित, या निलम्बित कर दिया जाए।

(ड) प्रमाणपत्र धारक, सलाहकार की लिखित सहमति से, अपने कारखाने के कागज पत्रों और सूचीपत्रों पर एगमार्क डिजाइन की प्रतिकृति का प्रयोग कर सकेगा।

(ढ) विहित रीति में उत्पाद चिह्निकन के लिए अपेक्षित स्टेंसिल रबर स्टाम्प, पंच या अन्य उपकरण अथवा लेबल, सलाहकार या उसके द्वारा प्राधिकृत किसी व्यक्ति से ही, केन्द्रीय सरकार द्वारा इस निमित्त समय-समय पर नियत किए गए प्रभारों का संदाय करके, अभिप्राप्त किए जाएंगे और प्रमाणपत्र धारक उन्हें सुरक्षित अभिरक्षा में रखेगा तथा प्रमाणपत्र के विधिमान्य न रह जाने पर उन्हें सलाहकार को या उसके द्वारा प्राधिकृत व्यक्ति को लौटा देगा।

(ण) यदि सलाहकार या उसके द्वारा इस निमित्त प्राधिकृत किसी व्यक्ति का इस बाबत समाधान हो जाता है या उसके पास यह विश्वास करने का कारण है कि प्राधिकृत पैकरस श्रेणी नाम चिह्न का सही रूप में प्रयोग नहीं कर रहा है या यह संभावना है कि उसका सही रूप में प्रयोग नहीं किया जाएगा तो वह विहित रीति में उत्पाद के चिह्निकन के लिए अपेक्षित श्रेणी नाम चिह्नों या किसी स्टेंसिल रबर स्टाम्प पंच या अन्य उपकरण जारी किए जाने या उसके उपयोग की कोई सूचना दिए बिना ही, ऐसी किसी अवधि के लिए विचारित या प्रत्याहृत कर सकेगा। जो वह बेहतर विपणन के हित में समीचीन समझे; और

(त) प्रमाणपत्र का धारक श्रेणी नाम चिह्नों से चिह्निकृत अनुसूचित वस्तुओं का क्वालिटी नियंत्रण प्रवृत्त करने के उपायों, जिनमें नमूनों का परीक्षण और उन वस्तुओं का निरीक्षण सम्मिलित है या किसी वर्ग की ऐसी वस्तुओं के विक्रय के संवर्धन के लिए किए गए विज्ञापन के संबंध में लागत व्ययों की बाबत ऐसे प्रभारों का संदाय करेगा जो केन्द्रीय सरकार समय-समय पर विहित करें।

लेबलों के लिए श्रेणी अभिधान किया जाएगा

#### अनुसूची 11-क

(नियम 3 और 4 देखिए)

मूंगफली की खली (पेरी हुई) की क्वालिटी के श्रेणी नाम और परिभाषाएं

| श्रेणी नाम | भार के अनुसार नमी का प्रतिशत (अधिकतम) | भार के अनुसार अपरिष्कृत प्रोटीन (नाइट्रोजन 6.25) का प्रतिशत (न्यूनतम) | भार के अनुसार अपरिष्कृत वसा या अन्य सार का प्रतिशत (न्यूनतम) | भार के अनुसार अपरिष्कृत रेसो का प्रतिशत (अधिकतम) | भार के अनुसार कुल राख की प्रतिशत (अधिकतम) | भार के अनुसार अविलेय घमेल राख का प्रतिशत (अधिकतम) | एरण्डी की भूसी | साधारण लक्षण   |
|------------|---------------------------------------|---|--|--|---|---|----------------|--|
| 1          | 2                                     | 3   | 4  | 5  | 6   | 7   | 8              | 9  |
| अण्डी      | 8.0                                   | 50.0  | 8.0  | 9.0  | 7.0                                       | 1.5   | कुछ नहीं       | अण्डी और उचित श्रेणी की खली केवल छिलके रहित मूंगफली का उत्पाद होगी जो शक्ति बालित मशीनरी द्वारा तेल निष्कर्षण के बाव प्राप्त की जाएगी। |

| 1    | 2    | 3    | 4    | 5   | 6   | 7   | 8        | 9   |
|------|------|------|------|-----|-----|-----|----------|---|
| उचित | 8.0  | 50.0 | 5.0  | 9.0 | 7.0 | 2.0 | कुछ नहीं | (2) बाकी खली केवल छिलके रहित मूंगफली का उत्पाद होगी जो पशुबलित घानी या चक्की के द्वारा तेल निष्कर्षण के बाद प्राप्त की जाएगी।   |
| खली  | 10.0 | 45.0 | 10.0 | 9.0 | 7.0 | 2.5 | कुछ नहीं | (3) पदार्थ दूढ़ बनावट का होगा।<br>(4) यह हानिकारक अवयवों और एरण्डी की खली या घूसी से मुक्त होगी।<br>(5) यह पटवास, कीन्ट या फफूँध बाधा और किण्वित, सख्त या अन्य आपत्तिजनक गन्ध से मुक्त होगी।<br>(6) बहूँ घूर्न और बाह्य पदार्थ से मुक्त होगी। |

टिप्पण—स्तम्भ 3 से 7 तक में विनिर्दिष्ट मान, नयी रहित आधार संगणित किया गया है। यह पशुधन चारे के रूप में छिलके रहित मूंगफली के लिए भारतीय मानक विनिर्देश से लिया गया है।

[आई०एस० 1713-1960]

### अनुसूची II-ख

(निधम 3 और 4 देखिए)

मूंगफली की खली (विलायक निस्सारित) की क्वालिटी के श्रेणी नाम और परिभाषाएं

| श्रेणी नाम | भार के अनुसार नमी की प्रतिशत (अधिकतम) | भार के अनुसार अपरिष्कृत प्रोटीन (नाइट्रोजन) 6.25 का प्रतिशत (न्यूनतम) | भार के अनुसार अपरिष्कृत वसा या अन्य साह का प्रतिशत (न्यूनतम) | भार के अनुसार अपरिष्कृत रेश का प्रतिशत (अधिकतम) | भार के अनुसार अभिलेख भस्म राख का प्रतिशत (अधिकतम) | एरण्डी की घूसी | साधारण लक्षण  |
|------------|---------------------------------------|---|--|---|---|----------------|---|
| 1          | 2                                     | 3   | 4  | 5   | 6   | 7              | 8   |
| अच्छी      | 10.0                                  | 51.0  | 1.0  | 10.0  | 2.5   | कुछ नहीं       | (1) विलायक निष्कर्षित मूंगफली की खली (मील, एक्सपूलर या घानी से पेरी गई मूंगफली की खली से किसी विलायक की सहायता से तेल निष्कर्षण से प्राप्त की जाएगी।  |
| उचित       | 10.0                                  | 47.0  | 1.5  | 12.0  | 2.5   | कुछ नहीं       | मील कुछ प्रारंभिक उपचार के बाद सीधे मूंगफली के बीजों से भी प्राप्त की जा सकती है।<br><br>निष्कर्षण के लिए काम में लाई जाने वाले एक्सपेलर या घानी से पूरी की गई मूंगफली की खली साफ व ठोस मूंगफली (आरकिस हेवीजि-या-एल) के घेरने से प्राप्त की गई होगी। प्रोटीन को विकृति-करण से बचाने और विलायक तत्व हटाने के लिए मील की नियंत्रित और विनियमित परिस्थितियों में उष्मा और वाष्प शोधन के अधीन रखा |

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8   |
|---|---|---|---|---|---|---|---|
|   |   |   |   |   |   |   | जाएगा। पदार्थ पपड़ी या धूप के रूप में होगा और हानिकारक अवयवों और एरण्डी की खली या भूसी या दोनों या महुवा की खली से युक्त होगा और खटवास अपमिश्रण, कीट या फफूँद बाधों और सड़न दुर्गन्ध से मुक्त होगी। |

टिप्पण : (1) स्तम्भ 3 से 6 तक में विनिर्दिष्ट मान, नमी रहित आधार पर संगणित किया गया है। पशुधन-बारों के रूप में विलायक निस्सारित मूंगफली की खली (मील) के लिए भारतीय मानक विनिर्दिष्ट से लिया गया है।

[आई एस० 3441-1966]

(2) निष्कर्षण के लिए विलायक :—निष्कर्षण के प्रयोजनों के लिए केवल अच्छी श्रेणी का विलायक ही काम में लाया जाएगा।

विलायक संबंधी अपेक्षाएं निम्नलिखित होंगी :—

व्ययन रेंज 63 डिग्री से० से 71 डिग्री से० तक

एरोमैटिक तत्व (अधिकतम) 1 प्रतिशत

अवाष्पशील तत्व (अधिकतम) 0.001 ग्राम/100 मिली०।

### अनुसूची III क

(नियम 3 और 4 देखिए)

छिलके रहित बिनोले की खली (पेरी हुई) की क्वालिटी के श्रेणी नाम और परिभाषाएं

| श्रेणी नाम | भार के अनुसार नमी का प्रतिशत (अधिकतम) | भार के अनुसार अपरिष्कृत प्रोटीन (नाइट्रोजन) 6.25 का प्रतिशत (न्यूनतम) | भार के अनुसार अपरिष्कृत वसा या अन्य मार का प्रतिशत (न्यूनतम) | भार के अनुसार अपरिष्कृत रेशों की प्रतिशत (अधिकतम) | भार के अनुसार कुल राख का प्रतिशत (अधिकतम) | भार के अनुसार अधिसेय अम्ल राख का प्रतिशत (अधिकतम) | एरण्डी की भूसी | साधारण लक्षण  |
|------------|---------------------------------------|---|--|---|---|---|----------------|---|
| 1          | 2                                     | 3   | 4  | 5   | 6   | 7   | 8              | 9   |
| अच्छी      | 8.0                                   | 40.0  | 8.0  | 10.0  | 7.0                                       | 1.6   | कुछ नहीं       | (1) केवल साफ बिनोले का उत्पाद होगी। भूल रूप से गिरि के साथ छिलके और रेशों के अपरिष्कार्य प्रभावों से बनी होगी जो तेल व निर्माण के समय छूट गए हों।   |
| स्वच्छ     | 8.0                                   | 41.0  | 5.0  | 12.0  | 8.0                                       | 2.0   | कुछ नहीं       | (2) पदार्थ ठोस होगा किन्तु कठोर बनावट का न हो।  |
| नं० 2      | 8.0                                   | 37.0  | 5.0  | 14.0  | 9.0                                       | 2.5   | कुछ नहीं       | (3) यह हानिकारक अवयवों और एरण्डी की खली व भूसी से मुक्त होगी।<br>(4) यह खटावारा, अपमिश्रण कीटों या फफूँदावाधा और किण्वित, सड़न या अन्य आपत्तिजनक दुर्गन्ध से मुक्त होगी।<br>(5) यह भूल और बाह्य पदार्थ से मुक्त होगी। |

टिप्पण :— स्तम्भ 3 से 7 तक में विनिर्दिष्ट मान, नमी रहित आधार पर संगणित किया गया है।

पशुधन-बारों के रूप में बिनोले की खली के लिए भारतीय मानक विनिर्देश से लिया गया है।

[आई०एस० 1712-1960]

## अनुसूची III ब

(नियम 3 और 4 देखिए)

छिलके सहित बिनौले की खली (पेरी हुई) की क्वालिटी के श्रेणी अभिधान और परिभाषाएं

| श्रेणी नाम | भार के अनुसार नमी का प्रतिशत (अधिकतम) | भार के अनुसार अपरिष्कृत प्रोटीन (नाइट्रोजन 6.25) का प्रतिशत (न्यूनतम) | भार के अनुसार अपरिष्कृत बसा या ईथर मार का प्रतिशत (न्यूनतम) | भार के अनुसार अपरिष्कृत रेणु का प्रतिशत (अधिकतम) | भार के अनुसार कुल राज का प्रतिशत (अधिकतम) | भार के अनुसार अपरिष्कृत प्रमेल राख का प्रतिशत (अधिकतम) | एरण्डी की भूसी | साधारण लक्षण  |
|------------|---------------------------------------|---|---|--|---|--|----------------|---|
| 1          | 2                                     | 3   | 4   | 5  | 6   | 7  | 8              | 9   |
| अच्छी      | 10.0                                  | 24.0  | 7.0   | 24.0   | 9.0                                       | 2.5  | कुछ नहीं       | (1) केवल साबुन, साफ और जहां कहीं आवश्यक है। विशेषकर रोयेदार बीज की दशा में बिनौले से तेल निकालने के बाद प्राप्त उत्पाद होगी।  |
| स्वच्छ     | 10.0                                  | 24.0  | 7.0   | 28.0   | 9.0                                       | 2.5  | कुछ नहीं       | (2) पदार्थ ठोस होगा किन्तु कठोर नहीं होगा।<br>(3) यह हानिकारक अश्वयुक्तों और एरण्डी की खली या भूसी से मुक्त होगी।<br>(4) यह छटघास, अपमिश्रण, कीटों या फफूंद-बाधा और किण्वित सड़न या अन्य आपत्तिजनक कुगन्ध से मुक्त होगी।<br>(5) यह धूल और बाह्य पदार्थ से मुक्त होगी। |

टिप्पण : स्तम्भ 3 से 7 तक में विनिर्दिष्ट मान, नमी रहित आधार पर संगणित किया गया है।

पशु-चारे के रूप में बिनौले की खली के लिए भारतीय मानक विनिर्देश से लिया गया है।

[ग्राईएम० 1712-1960]

## अनुसूची III ग

(नियम 3 और 4 देखिए)

छिलके रहित बिनौले की खली (मील)—विलायक निष्कर्षित के क्वालिटी के श्रेणी नाम और परिभाषाएं

| श्रेणी नाम | भार के अनुसार नमी का प्रतिशत (अधिकतम) | भार के अनुसार अपरिष्कृत प्रोटीन (नाइट्रोजन 6.25) का प्रतिशत (न्यूनतम) | भार के अनुसार अपरिष्कृत बसा या ईथर मार का प्रतिशत (अधिकतम) | भार के अनुसार अपरिष्कृत रेणु का प्रतिशत (अधिकतम) | भार के अनुसार प्रमेल राख का प्रतिशत (अधिकतम) | साधारण लक्षण  |
|------------|---------------------------------------|---|--|--|--|---|
| 1          | 2                                     | 3   | 4  | 5  | 6  | 7   |
| अच्छी      | 8.0                                   | 42.0  | 1.5  | 12.0   | 2.0  | विलायक निष्कर्षित बिनौले की खली (मील) छिलके रहित बिनौले की खली से विलायक की सहायता से तेल निष्कर्षण से प्राप्त की जाएगी। मील कुछ प्रारम्भिक उपचार के बाद मोटे छिलके रहित बिनौले से भी प्राप्त की जा सकती है। निष्कर्षण के लिए काम में लाई जाने वाली बिनौले की खली, साफ और ठोस छिलके रहित बिनौले को पेरने से प्राप्त की गई होगी। |

| 1      | 2   | 3    | 4   | 5    | 6   | 7  |
|--------|-----|------|-----|------|-----|--|
| स्वच्छ | 8.0 | 40.0 | 2.0 | 14.0 | 2.5 | विलायक तत्व हटाने के लिए मोल को नियंत्रित और विनिमित परिस्रवितियों, उष्मा और माप के अधीन रखा जाएगा। पदार्थ पपड़ी या चूर्ण के रूप में होगा और हानिकारक अवयवों और एरण्डी की खली या भूसी और महुआ की खली से मुक्त होगा। यह सड़न बुर्गंध से मुक्त होगी। |

टिप्पण :—(1) स्तम्भ 3 से 6 तक में विनिर्दिष्ट मान नमी रहित आधार पर संगणित किया गया है।

पशुधन-बारे के रूप में विलायक निस्सारित विनोद की खली (मोल) के लिए आपातकालीन भारतीय मानक विनिर्देश से लिया गया है।

(आई० एस० 3592 ई० 1966)

निष्कर्षण के लिए विलायक:—निष्कर्षण के प्रयोजनों के लिए केवल हैक्सेस, फूड श्रेणी का विलायक ही काम में लाया जाएगा। विलायक की प्रयोगां निम्नलिखित होगी।

व्ययन बूरी :—63 से० से 71 से० तक

ऐरोमेटिक तत्व (अधिकतम) 1 प्रतिशत

अवाष्पशील तत्व (अधिकतम) 0001, ग्राम/100 मि० ली०

#### घनुसूची IV क

(नियम 3 और 4 देखिए)

अलसी की खली (मोल)—(पेरी हुई) की स्वादिष्टी के श्रेणी नाम और परिभाषाएं

| श्रेणी नाम | भार के अनुसार नमी का प्रतिशत (अधिकतम) | भार के अनुसार अपरीष्कृत प्रोटीन नाइट्रोजन 6.25 का प्रतिशत (न्यूनतम) | भार के अनुसार अपरीष्कृत वसा या ईथर सार का प्रतिशत (न्यूनतम) | भार के अनुसार अपरीष्कृत रेणु का प्रतिशत (अधिकतम) | भार के अनुसार कुल राख का प्रतिशत (अधिकतम) | भार के अनुसार अम्ल राख का प्रतिशत (अधिकतम) | एरण्डी की भूसी | साधारण लक्षण  |
|------------|---------------------------------------|---|---|--|---|--|----------------|---|
| 1          | 2                                     | 3   | 4   | 5  | 6   | 7  | 8              | 9   |
| अच्छी      | 10.0                                  | 29.0  | 8.0   | 10.0   | 8.0                                       | 1.5  | कुछ नहीं       | (1) अच्छी और उचित श्रेणी की खली शक्ति वालित मशीन द्वारा अलसी के बीजों से तेल निष्कर्षण के बाद प्राप्त उत्पाद होगी।  |
| उचित       | 10.0                                  | 29.0  | 5.0   | 10.0   | 8.0                                       | 1.5  | कुछ नहीं       | (2) धानी खली, पशुचालित धानी द्वारा अलसी के बीजों से तेल निष्कर्षण के बाद प्राप्त उत्पाद होगी।<br>(3) पदार्थ हानिकारक अवयवों और एरण्डी की खली या भूसी से मुक्त होगी। |
| धानी खली   | 10.0                                  | 26.0  | 15.0  | 6.0  | 9.0                                       | 2.5  | कुछ नहीं       | (4) यह खटवास, अपमिश्रण कीट या फफूंद-बाधा और कृषिगत, सड़न या अन्य आपातजनक बुर्गंध से मुक्त होगी।<br>(5) यह घूल और बाह्य पदार्थ से मुक्त होगी।                        |

टिप्पण :—स्तम्भ 3 से 7 तक में विनिर्दिष्ट मान नमी हीनता के आधार पर संगणित किया गया है।

पशुधन-बारे के रूप में अलसी की खली के लिए भारतीय मानक विनिर्देश से लिया गया है।

[आई० एस० 1935-1961]

## अनुसूची 4 ख

(नियम 3 और 4 देखिए)

अलसी की खली (मील) — विलायक निस्सारित की क्वालिटी के श्रेणी नाम और परिभाषाएं

| श्रेणी नाम | भार के अनुसार नमी का प्रतिशत (अधिकतम) | भार के अनुसार अपरिष्कृत प्रोटीन (हाईड्रोजन का 6.25) प्रतिशत (न्यूनतम) | भार के अनुसार अपरिष्कृत बसा या ईयर सार का प्रतिशत (अधिकतम) | भार के अनुसार अपरिष्कृत रेसो का प्रतिशत (अधिकतम) | भार के अनुसार अविशेष्य अम्ल राख का प्रतिशत (अधिकतम) | साधारण लक्षण   |
|------------|---------------------------------------|---|--|--|---|--|
| 1          | 2                                     | 3   | 4  | 5  | 6   | 7  |
| अच्छी      | 10.0                                  | 33.0  | 1.0  | 9.0  | 2.5   | विलायक निष्कषित अलसी की खली (मील), एकसपेलर या धानी से पेरी गई अलसी की खली से विलायक की सहायता से तेल निष्कर्षण द्वारा प्राप्त की जाएगी। मील कुछ प्रारम्भिक उपचार के बाद सीधे अलसी के बीज से भी प्राप्त की जा सकती है। निष्कर्षण, साफ और अच्छी अलसी (लिनम उस्टेटिसियम एल) की पिराई द्वारा प्राप्त किया जायगा।                   |
| स्वच्छ     | 10.0                                  | 29.0  | 1.5  | 11.0   | 2.5   | प्रोटीन को विकृतीकरण से बचाने और विलायक तत्त्व हटाने के लिए मील नियंत्रित और नियमित बशाघो में, उष्मा और माप शोधन के अधीन रखी जाएगी। पदार्थ पपड़ी या चूर्ण के रूप में होगा और हानिकारक अवयवों और एरब्बी की खली या भूसी या दोनों या महुआ की खली से मुक्त होगा। यह छटवाल, अपमिश्रण, कीटों कफुव बाधा और सड़न बुगन्ध से मुक्त होगा। |

टिप्पण:—(1) स्तम्भ 3 से 6 तक में विनिर्दिष्ट मान नमी हीनता के आधार पर संगणित किया गया है।

पशुधन-भारे के रूप में विलायक निस्सारित अलसी की खली (मील) के लिए भारतीय मान विनिर्देश से लिया गया है।

[आई० एस० 3440-1966]

निष्कर्ष के लिए विलायक:—निष्कर्षण के प्रयोजन के लिए केवल हैक्सेन-फूड श्रेणी का विलायक ही काम में लाया जाएगा।

विलायक की अपेक्षाएं निम्नलिखित होंगे:—

बबल दूरी—63° से 71° तक

ऐसरोमेटिक तत्व (अधिकतम)—1 प्रतिशत

अवाष्पशील तत्व (अधिकतम) 0.001 ग्राम/100 मि०लि०

## अनुसूची 5 क

(नियम 3 और 4 देखिए)

सरसों की खली — (पेरी हुई) की क्वालिटी के श्रेणी नाम और परिभाषाएं

| श्रेणी नाम | भार के अनुसार नमी का प्रतिशत (अधिकतम) | भार के अनुसार अपरिष्कृत प्रोटीन (हाईड्रोजन का 6.25) प्रतिशत (अधिकतम) | भार के अनुसार अपरिष्कृत बसा या ईयर सार का प्रतिशत (न्यूनतम) | भार के अनुसार अपरिष्कृत रेसो का प्रतिशत (अधिकतम) | भार के अनुसार अपरिष्कृत कुल राख का प्रतिशत (अधिकतम) | भार के अनुसार अविशेष्य अम्ल राख का प्रतिशत (अधिकतम) | एरब्बी की भूसी | साधारण लक्षण  |
|------------|---------------------------------------|--|---|--|---|---|----------------|---|
| 1          | 2                                     | 3  | 4   | 5  | 6   | 7   | 8              | 9   |
| अच्छी      | 10.0                                  | 35.0   | 8.0   | 9.0  | 8.0   | 1.5   | कुछ नहीं       | (1) अच्छी और उचित श्रेणी की खली शक्ति शालित मशीन द्वारा सरसों के बीज से तेल निष्कर्षण के बाद प्राप्त उत्पाद होगी। |

| 1        | 2    | 3    | 4    | 5    | 6   | 7   | 8        | 9   |
|----------|------|------|------|------|-----|-----|----------|---|
| उचित     | 10.0 | 37.0 | 5.0  | 10.0 | 9.0 | 2.0 | कुछ नहीं | (2) घासी की खली पण चालित या कोल्टू द्वारा सरसों के बीज से तेल निष्कर्षण के बाद प्राप्त उत्पाद होगी।   |
| घासी खली | 12.0 | 33.0 | 12.0 | 7.0  | 8.0 | 2.5 | कुछ नहीं | (3) पदार्थ अर्जिमोन एरण्डी की रसी या भूसी सहित अन्य हानिकारक अवयवों से मुक्त होगी।<br>(4) यह खटवास, अपमिश्रण, कीट या फफूँव बाधा और किण्वित, सड़न या अन्य आपत्तिजनक दुर्गन्ध से मुक्त होगी।<br>(5) यह धूल और ग्राह्य पदार्थ से मुक्त होगी। |

‘सरसों के बीज’ शब्द के अन्तर्गत राई (ब्रेसिका जन्सिया फास) सरसों (ब्रेसिका कैम्पेस्टिस बैराइटी सरसों) तोरिया (ब्रेसिका कम्पस्टिल बैराइटी जोरिया) और तारापीरा (एक्सा स्टाइवा) भी है।

स्तम्भ 3 और 7 तक में विनिर्दिष्ट मान, नमी हीनता के आधार पर संगणित किया गया है।

पशुधन चारे के रूप में सरसों और तोरिया की खली के लिए भारतीय मानक विनिर्देश से लिया गया है। [आईएस० 1932-1961]

#### अनुसूची 5 ख

(नियम 3 और 4 देखिए)

सरसों की खली—विलायक निस्सारित की क्वालिटी के श्रेणी नाम और परिभाषाएं

| श्रेणी नाम | भार के अनुसार नमी का प्रतिशत (अधिकतम) | भार के अनुसार अपरिष्कृत प्रोटीन (नाइट्रोजन का 6.25) प्रतिशत (न्यूनतम) | भार के अनुसार अपरिष्कृत वसा या ईथर सार का प्रतिशत (अधिकतम) | भार के अनुसार अपरिष्कृत रेशे का प्रतिशत (अधिकतम) | भार के अनुसार अप्रिलय अप्सल सार का प्रतिशत (अधिकतम) | साधारण लक्षण   |
|------------|---------------------------------------|---|--|--|---|--|
| 1          | 2                                     | 3   | 4  | 5  | 6   | 7  |
| एरण्डी     | 10.0                                  | 45.0  | 1.0  | 11.0   | 1.8   | विलायक निष्कषित सरसों की खली (मील) प्रचालित एक्सपैलर या चक्की से पेरो गई खली से विलायक की सहायता से तेल निष्कर्षण से प्राप्त की जाएगी। मील प्रारम्भिक उपचार के बाद सीधे ठोस सरसों के बीज (राई-ब्रेसिका जन्सिया) सरसों (ब्रेसिका कैम्पेस्टिस), तोरिया (ब्रेसिका कैम्पेस्टिस) और तारापीरा (एक्सासेटाइवा) से भी प्राप्त की जा सकती है। प्रोटीन की विकृतीकरण से बचने और विलायक तत्व हटाने के लिए कीटक नियंत्रित और विनियमित दशाओं में उष्मा और भाप गोचक के अधीन रखी जाएगी। पदार्थ, पपड़ी या चूर्ण के रूप में होगा और हानिकारक अवयवों और एरण्डी की खली या भूसी या दोनों या महुआ की खली या अर्जिमोन की खली से मुक्त होगा। यह खटवास, उपमिश्रण, कीट या फूँव बाधा और सड़न दुर्गन्ध से मुक्त होगी। |
| उचित       | 10.0                                  | 43.0  | 1.5  | 12.0   | 2.5   |  |

टिप्पण—(1) स्तम्भ 3 से 6 तक विनिर्दिष्ट मान नमी हीनता के आधार पर संगणित किया गया है।

भारतीय मानक संस्था विनिर्देश से नहीं लिया गया है।

(2) निष्कर्षण के लिए विलायक : निष्कर्षण के प्रयोजनों के लिए केवल हैक्सेन-फूड श्रेणी का विलायक ही काम में लाया जाएगा।

विलायक की अपेक्षाएं निम्नलिखित होंगी :—

कथन दूरी—63° से 71° तक

ऐरोमेटिक तत्व (अधिकतम)—1 प्रतिशत

अवाष्पशील तत्व (अधिकतम)—0.001 ग्राम/100 मि०ली०



## अनुसूची 6 (क)

(नियम 3 और 4 देखिए)

सेसमम (तिल) की खली (पेरी हुई) की क्वालिटी के श्रेणी नाम और परिभाषाएं

| श्रेणी नाम | भार के अनुसार नमी का प्रतिशत (अधिकतम) | भार के अनुसार अपरिष्कृत प्रोटीन (नाइट्रोजन का 6.25) प्रतिशत (न्यूनतम) | भार के अनुसार अपरिष्कृत वसा या ईथर सार का प्रतिशत (म्यूसतम) | भार के अनुसार अपरिष्कृत रेजे का प्रतिशत (अधिकतम) | भार के अनुसार कुल राख का प्रतिशत (अधिकतम) | भार के अनुसार अविषयक अम्ल राख का प्रतिशत (अधिकतम) | एरण्डी की भूसी | साधारण लक्षण   |
|------------|---------------------------------------|---|---|--|---|---|----------------|--|
| 1          | 2                                     | 3   | 4   | 5  | 6   | 7   | 8              | 9  |
| अण्डी      | 10.0                                  | 37.0  | 8.0   | 7.0  | 13.0                                      | 1.5   | कुछ नहीं       | (1) अण्डी और उचित श्रेणी की खली शक्ति वालित मशीन द्वारा सेसमम (तिल) के बीज से तेल निष्कर्षण के बाद प्राप्त उत्पाद होगी।  |
| उचित       | 10.0                                  | 37.0  | 5.0   | 7.0  | 13.0                                      | 2.0   | कुछ नहीं       | (2) धानी की खली, पशु वालित धानी द्वारा सेसमम (तिल) बीजों से तेल निष्कर्षण के बाद प्राप्त उत्पाद होगी।  |
| धानी खली   | 10.0                                  | 36.0  | 1.0   | 7.0  | 13.0                                      | 2.0   | कुछ नहीं       | (3) यह पदार्थ हानिकारक अवयवों और एरण्डी के खली या भूसी से मुक्त होगा।<br>(4) यह खटवास, अपमिश्रण, कीट या फफूंद बाधा और क्रिगवत, सक्न या अन्य आपत्तिजनक दुर्गन्ध से मुक्त होगी।<br>(5) यह धूल या बाह्य पदार्थ से मुक्त होगी। |

टिप्पण:— स्तम्भ 3 से 7 तक में विनिर्दिष्ट मान नमी हीनता के आधार पर संगणित किया गया है।

पशुधन—चारे के रूप में सेसमम (तिल) की खली के लिए भारतीय मानक विनिर्देश से लिया गया है। [आई० एस० 1934-1961]

## अनुसूची 6 (ख)

(नियम 3 और 4 देखिए)

सेसमम (तिल) की खली—विलायक निस्सारित की क्वालिटी के श्रेणी नाम और परिभाषाएं

| श्रेणी नाम | भार के अनुसार नमी का प्रतिशत (अधिकतम) | भार के अनुसार अपरिष्कृत प्रोटीन (नाइट्रोजन का 6.25) प्रतिशत (अधिकतम) | भार के अनुसार अपरिष्कृत वसा या ईथर सार का प्रतिशत (अधिकतम) | भार के अनुसार अपरिष्कृत रेजे का प्रतिशत (अधिकतम) | भार के अनुसार अविषयक अम्ल राख का प्रतिशत (अधिकतम) | साधारण लक्षण  |
|------------|---------------------------------------|--|--|--|---|---|
| 1          | 2                                     | 3  | 4  | 5  | 6   | 7   |
| अण्डी      | 10.0                                  | 44.0   | 1.0  | 8.5  | 1.8   | विलायक निष्कर्षित सेसमम (तिल) की खली एक्सपेंडर या धानी से पेरी गई सेसमम (तिल) की खली से विलायक की सहायता से तिल निष्कर्षण से प्राप्त की जाएगी। खली कुछ प्रारम्भिक उपचार के बाद सीधे सेसमम (तिल) के बीजों से भी प्राप्त की जा सकती है। |

| 1    | 2    | 3    | 4   | 5   | 6   | 7   |
|------|------|------|-----|-----|-----|---|
| उचित | 10.0 | 44.0 | 1.5 | 8.5 | 1.8 | निष्कर्षण के लिए प्रयोग किए जाने वाले एकसदृश या घानी द्वारा पैरा गया सेसमम (तिल) खली ठीक और स्वच्छ सेसमम (तिल) बीजों को पेरने से प्राप्त की जानी चाहिए। प्रोटीन को विकृतीकरण से बचाने और विलायक तत्व हटाने के लिए कीटक नियंत्रित और विनियमित दशाओं में उष्मा और वाष्प शोधन के अधीन रखा जाएगा। पदार्थ, पपड़ी या चूर्ण के रूप में होगा और हानिकारक अवयवों और एरण्ड की खली या भूसी या बोंतों या महुवा की खली से मुक्त होगा। यह खटवास, अपमिश्रण, कीट, फफूंद बाधा और सड़न, दुर्गन्ध से मुक्त होगी। |

टिप्पण :—(1) स्तम्भ 3 से 6 तक विनिर्दिष्ट मान नमी हीनता के आधार पर संगणित किया गया है।

(2) निष्कर्ष के लिए विलायक :—निष्कर्ष के प्रयोजनों के लिए केवल हेक्सेन-फूड ग्रेणी का विलायक ही काम में लाया जाएगा।

विलायक की अपेक्षाएं निम्नलिखित होंगी :—

कम्यम दूरी 63° से 71° तक।

ऐरोमेटिक तत्व (अधिकतम) 1 प्रतिशत

अवाष्पशील तत्व (अधिकतम) 0.001/100 मि० लि०

#### अनुसूची (क)

(नियम 3 और 4 देखिए)

नारियल की खली पैरी हुई की बकालिटी के श्रेणी नाम और परिभाषाएं

| श्रेणी नाम | भार के अनुसार नमी का प्रतिशत (अधिकतम) | भार के अपरिष्कृत प्रोटीन (नाइट्रोजन का 6.25) प्रतिशत (न्यूनतम) | भार के अपरिष्कृत बसा या ईयर भार का प्रतिशत (न्यूनतम) | भार के अपरिष्कृत रेसो का प्रतिशत (अधिकतम) | भार के कुल राख का प्रतिशत (अधिकतम) | भार के अविलेय अविलेय राख का प्रतिशत (अधिकतम) | एरण्डो की भूसी | साधारण लक्षण  |
|------------|---------------------------------------|--|--|---|------------------------------------|--|----------------|---|
| 1          | 2                                     | 3  | 4  | 5   | 6                                  | 7  | 8              | 9   |
| एरण्डो     | 10.0                                  | 21.0   | 8.0  | 12.0                                      | 8.0                                | 1.5  | कुछ नहीं       | (1) एरण्डो श्रेणी की नारियल की खली शक्ति चालित मशीन द्वारा खोपरे (सूखे नारियल की गिरी) से प्राप्त उपज होगी।   |
| घानी       | 12.0                                  | 18.0   | 13.0   | 12.0                                      | 8.5                                | 2.0  | कुछ नहीं       | (2) घानी श्रेणी की खली पशु चालित घानी या चक्की द्वारा खोपरे (सूखे नारियल की गिरी) से तेल निष्कर्ष के बाद प्राप्त उत्पाद होगी।<br>(3) पदार्थ हानिकारक अवयवों और एरण्डो की खली या भूसी से मुक्त होगा।<br>(4) यह खटवास, अपमिश्रण, कीट, या फफूंद बाधा और क्लिष्ट, सड़न और अन्य आपत्तिजनक दुर्गन्ध से मुक्त होगी।<br>(5) यह धूल और बाह्य पदार्थ से मुक्त होगी। |

टिप्पण :—स्तम्भ 3 से 7 तक विनिर्दिष्ट मान नमी हीनता के आधार पर संगणित किया गया है।

पशुधन—भारे के रूप में नारियल की खली के लिए भारतीय मानक विनिर्देश से लिया गया है।

(आई०एस० 2154-1962)

## अनुसूची 7 क

(नियम 3 और 4 देखिए)

## नारियल की खली (मील) विलायक निस्सारित की श्वासिटी के श्रेणी नाम और परिभाषाएं

| श्रेणी नाम | भार के अनुसार नमी का प्रतिशत (अधिकतम) | भार के अनुसार अपरिष्कृत प्रोटीन (नाइट्रोजन 6.25) का प्रतिशत (न्यूनतम) | भार के अनुसार अपरिष्कृत बसा या ईयर सार का प्रतिशत (अधिकतम) | भार के अनुसार अपरिष्कृत रेणु का प्रतिशत (अधिकतम) | भार के अनुसार अप्रविलेयक घमल राख का प्रतिशत (अधिकतम) | साधारण लक्षण  |
|------------|---------------------------------------|---|--|--|--|---|
| 1          | 2                                     | 3   | 4  | 5  | 6  | 7   |
| अच्छी      | 10.0                                  | 23.0  | 1.0  | 14.0   | 1.5  | विलायक निष्कषित नारियल की खली (मील), एक्सपेलर या घानी से पेरी गई नारियल की खली से विलायक की सहायता से तेल निष्कर्षण द्वारा प्राप्त की जाएगी। निष्कर्षण के लिए काम में लाई जाने वाली एक्सपेलर या घानी से पेरी गई नारियल की खली स्वच्छ और ठोस नारियल पेरने से प्राप्त की गई होगी। विलायक तत्व हटाने के लिए मील निष्कषित और विनियमित दशाओं में, उष्मा और वायु बोधन के अधीन रखी जाएगी, पदार्थ पक्की या चूर्ण के रूप में होगी। |
| उचित       | 10.0                                  | 21.0  | 1.5  | 15.0   | 2.0  | यह हानिकारक अवशेषों और एरण्डों की खली या भूसी या दानों और महुआ की खली से मुक्त होगी। यह खटवास अपमिश्रण, कीट या फफूंद बाधा और सड़न से मुक्त होगी।  |

टिप्पण:—(1) स्तम्भ 3 से 6 तक में विनिर्दिष्ट मान नमी हीनता के आधार पर संगणित किया गया है। पशुधन (घारे के रूप में विलायक निस्सारित नारियल की खली (मील) के लिए प्रापातकालीन भारतीय मानक विनियम से लिया गया है। (आई०एस० 3591 ई० 1986)।

(2) निष्कर्षण के लिए विलायक:—निष्कर्षण के प्रयोजन के लिए केवल ऐक्सेल-फूड श्रेणी का विलायक ही काम में लाया जाएगा। विलायक की अपेक्षाएं निम्नलिखित होंगी:—

व्ययन वेरी--63° से 71° से० तक।

ऐरोमेटिक तत्व (अधिकतम)--1 प्रतिशत।

अवाष्पशील तत्व (अधिकतम)--0.001 ग्राम/100 मि०सी०

## अनुसूची 8 क

(नियम 3 और 4 देखिए)

## कुसुम की खली (पेरी हुई) की श्वासिटी के श्रेणी नाम और परिभाषाएं

| श्रेणी नाम | भार के अनुसार नमी का प्रतिशत (अधिकतम) | भार के अनुसार अपरिष्कृत प्रोटीन (नाइट्रोजन 6.25) का प्रतिशत (न्यूनतम) | भार के अनुसार अपरिष्कृत बसा ईयर सार का प्रतिशत (न्यूनतम) | भार के अनुसार अपरिष्कृत रेणु का प्रतिशत (अधिकतम) | भार के अनुसार अपरिष्कृत कुलराख का प्रतिशत (अधिकतम) | भार के अनुसार अप्रविलेयक घमल राख का प्रतिशत (अधिकतम) | एरण्डों की भूसी | साधारण लक्षण  |
|------------|---------------------------------------|---|--|--|--|--|-----------------|---|
| 1          | 2                                     | 3   | 4  | 5  | 1  | 2  | 3               | 4   |
| अच्छी      | 8.0                                   | 41.0  | 8.0  | 13.0   | 8.0  | 7.0  | कुछ नहीं        | (1) अच्छी और उचित श्रेणियों की खली कुसुम के बीज (कार्यमस टिप्टोरियस एल) की उत्पाद होगी जो शक्ति चालित मशीन द्वारा ठोस और स्वच्छ बीजों से तेल निष्कर्षण के बाद प्राप्त की गई होगी। |
| उचित       | 8.0                                   | 39.0  | 10.0   | 15.0   | 8.0  | 2.0  | कुछ नहीं        | (2) घानी खली पण चालित घानी या चक्की के द्वारा स्वच्छ और ठोस कुसुम के बीज (कार्यमस टिप्टोरियस एल) से तेल निष्कर्षण के बाद प्राप्त उत्पाद होगी।                                     |

| 1        | 2    | 3    | 4    | 5    | 6   | 7   | 8  |
|----------|------|------|------|------|-----|-----|--|
| धानी खली | 10.0 | 38.0 | 13.0 | 12.0 | 8.0 | 1.0 | कुछ नहीं (3) पदार्थ बूढ़ बनाने का होगा<br>(4) यह हानिकारक अवयवों और एरण्डों की खली या भूमी से मुक्त होगी।<br>(5) यह खटवास, अपमिश्रण, कीट और फफूंद बाधा और किण्वित, मड़न या अन्य आपत्तिजनक दुर्गन्ध से मुक्त होगी।<br>(6) यह धूल और बाह्य पदार्थ से मुक्त होगी। |

टिप्पण :-स्तम्भ 3 से 7 तक में विनिर्दिष्ट मान नमी हीनता के आधार पर संगणित किया गया है।

#### अनुसूची 8-घ

(नियम 3 और 4 देखिए)

#### कुसुम की खली (विलायक निस्सारित) की बकालिटी के श्रेणी नाम और परिमाण

| श्रेणी नाम | भार के अनुसार नमी का प्रतिशत (अधिकतम) | भार के अपरिष्कृत प्रोटीन (नाइट्रोजन 6.25) का प्रतिशत (न्यूनतम) | भार के अपरिष्कृत वसा या ईथर सार का प्रतिशत (अधिकतम) | भार के अविलेयक अम्ल राख का प्रतिशत (अधिकतम) | भार के अपरिष्कृत रेणु का प्रतिशत (अधिकतम) | साधारण लक्षण   |
|------------|---------------------------------------|--|---|---|---|--|
| 1          | 2                                     | 3  | 4   | 5   | 6   | 7  |
| अच्छी      | 10.0                                  | 50.0   | 1.0   | 1.5   | 15.0                                      | विलायक निष्कषित कुसुम की खली (मील) धानी या एकमपेसर से पेरी हुई कुसुम की खली से विलायक की सहायता से तेल निष्कर्षण से प्राप्त की जाएगी।  |
| उचित       | 10.0                                  | 47.0   | 1.0   | 2.5   | 18.0                                      | धानी या एकमपेसर से पेरी गई कुसुम की खली साफ और ठोस कुसुम के शीज (कार्यमय टिण्डोरियस एस) पैरने से प्राप्त की गई होगी। प्रोटीन को विह्वलीकरण से बचाने और विलायक तत्व हटाने के लिए निष्कषित खली (मील) नियंत्रित और विनियमित बक्काओं में उष्मा और वाष्प स्रोत के अधीन रखी जाएगी। पदार्थ पपड़ी या बूर्ण के रूप में होगा और हानिकारक अवयवों या एरण्डों से मुक्त होगी। यह खटवास, अपमिश्रण कीट या फफूंद बाधा और मड़न दुर्गन्ध से मुक्त होगी। |

टिप्पण :- (1) स्तम्भ 3 से 6 तक में विनिर्दिष्ट मान नमी हीनता के आधार पर संगणित किया गया है।

(2) विनिर्देश प्राख्य की अवस्था में भारतीय मानक संस्था के पास है और अभी तक उन्हें अंतिम रूप नहीं दिया गया है।

(3) निष्कर्ष के लिए विलायक :- निष्कर्ष के प्रयोजन के लिए केवल हैक्सेन-फ्री श्रेणी का विलायक ही काम में लाया जाएगा। विलायक की अपेक्षाएं निम्नलिखित हैं :-

व्ययन दूरी --  $63^{\circ}$  से  $71^{\circ}$  से० तक।

ऐरोमेटिक तत्व (अधिकतम) -- 1 प्रतिशत।

अवाष्पशील तत्व (अधिकतम) -- 0.001 ग्राम/100 मि० लि०

## अनुसूची 9 क

(नियम 3 और 4 देखिए)

## तिल्ली की खली (पेरी हुई) की ब्वालिटी के श्रेणी नाम और परिभाषाएँ

| श्रेणी नाम | भार के अनुसार नमी का प्रतिशत (अधिकतम) | भार के अनुसार अपरिष्कृत प्रोटीन (नाइट्रोजन 6.25) का प्रतिशत | भार के अनुसार अपरिष्कृत बसा या ईथर गार (न्यूनतम) | भार के अनुसार अपरिष्कृत रेशे का प्रतिशत (अधिकतम) | भार के अनुसार राख का प्रतिशत (अधिकतम) | भार के अनुसार अपरिष्कृत अम्ल राख का प्रतिशत (अधिकतम) | एरण्डो की भूसी | साधारण लक्षण   |
|------------|---------------------------------------|---|--|--|---------------------------------------|--|----------------|--|
| (1)        | (2)                                   | (3)   | (4)  | (5)  | (6)                                   | (7)  | (8)            | (9)  |
| अच्छी      | 9.0                                   | 29.0  | 8.0  | 9.0  | 8.0                                   | 1.0  | कुछ नहीं       | (1) अच्छी और उचित श्रेणी की खली तिल्ली के बीज (म्यजो-टिया एबीसिनिका कास) का उत्पाद होगी जो शक्ति चासित मशीन द्वारा ठोस और स्वच्छ तिल्ली के बीज से तेल निष्कर्षण के बाद प्राप्त होगी।   |
| उचित       | 9.0                                   | 28.0  | 10.0   | 12.0   | 8.0                                   | 2.0  | कुछ नहीं       | (2) धानी खली पशु चासित धानी या चक्की द्वारा स्वच्छ और ठोस तिल्ली के गने (म्यजो-टिया एबीसिनिका कास) से तेल निष्कर्षण के बाद प्राप्त उत्पाद होगी।  |
| धानी खली   | 10.0                                  | 27.0  | 13.0   | 9.0  | 8.0                                   | 1.0  | कुछ नहीं       | (3) पदार्थ बड़ बनावट का होगा।<br>(4) यह हानिकारक अवयवों और एरण्डो की खली या भूसी से मुक्त होगी।<br>(5) यह खटबाम, अपमिश्रण, कीटों या कफूद बाधा और क्षिणित, सड़न या अन्य प्रापतिजनक कुतन्ध से मुक्त होगी।<br>(6) यह धूल और बाह्य पदार्थ से मुक्त होगी। |

टिप्पण :—स्तम्भ 3 से 7 तक में विनिर्दिष्ट मान नमी हीनता के आधार पर संगणित किया गया है।

## अनुसूची 9 ख

(नियम 3 और 4 देखिए)

## तिल्ली की खली (जिसतक निस्सारित) की ब्वालिटी के श्रेणी नाम और परिभाषाएँ

| श्रेणी नाम | भार के अनुसार नमी का प्रतिशत (अधिकतम) | भार के अनुसार अपरिष्कृत प्रोटीन (नाइट्रोजन 6.25) का प्रतिशत (न्यूनतम) | भार के अनुसार अपरिष्कृत बसा या ईथर गार का प्रतिशत (अधिकतम) | भार के अनुसार अपरिष्कृत अम्ल राख का प्रतिशत (अधिकतम) | भार के अनुसार अपरिष्कृत रेशे का प्रतिशत (अधिकतम) | साधारण लक्षण  |
|------------|---------------------------------------|---|--|--|--|---|
| 1          | 2                                     | 3   | 4  | 5  | 6  | 7   |
| अच्छी      | 9.0                                   | 35.0  | 1.0  | 1.5  | 12.0   | विलायक निष्कर्षित तिल्ली की खली (मोल) धानी या एक्स-पेलर से पेरी गई तिल्ली की खली से विलायक की सहायता से तेल निष्कर्षण से प्राप्त की जाएगी धानी या एक्सपेलर से पेरी गई तिल्ली की खली साफ ठोस तिल्ली के बीज (म्यजो- |

| 1    | 2   | 3    | 4   | 5   | 6    | 7   |
|------|-----|------|-----|-----|------|---|
| उचित | 9.0 | 29.0 | 1.0 | 2.5 | 15.0 | टिप्पणी एबीसीनिका काल) पेरने से प्राप्त की गई होगी। प्रोटीन को विह्वलीकरण से बचाने या विलायक तत्व हटाने के लिए सोल को नियंत्रित और विनियमित दशाओं में उष्मा और भाप शोधन के अधीन रखा जाएगा। पदार्थ पपड़ी या चूर्ण से रूप में होगा और हानिकारक घटकों या एरण्डो की खली या भूसी या दोनों या महुआ की खली से मुक्त होगा। यह खटवान, घपमिश्रण, काट या फकुव बाधा और सड़न दुर्गन्ध से मुक्त होगी। |

टिप्पणी:—(1) स्तम्भ 3 से 7 तक में विनिर्दिष्ट मान नमी हीनता के आधार पर संगणित किया गया है।

(2) विनिर्देश प्रारूप के प्रथम पर भारतीय मानक संस्था के पास है और अभी तक उन्हें अंतिम रूप नहीं दिया गया है।

(3) निष्कर्षण के लिए विलायक प्रारूप:—निष्कर्षण के प्रयोजन के लिए केवल हैक्सेन-कूड श्रेणी का विलायक ही काम में लाया जाएगा। विलायक की अपेक्षाएं निम्नलिखित होंगी:—

क्षयन दूरी—63° से 71° से० तक।

ऐरोमेटिक तत्व (अधिकतम)—1 प्रतिशत।

अवाष्पशील तत्व (अधिकतम)—0.001 ग्राम/100 मि०ली०

(संख्या 13-8/76-ए०एम०)

प्रकाश चन्द्र, उप-सचिव

## MINISTRY OF RURAL RECONSTRUCTION

S.O. 3424.—Whereas the draft of Vegetable Oil Cakes (Expressed or Solvent Extracted) Grading and Marking Rules, 1978, was published, as required by Section 3 of the Agricultural Produce (Grading and Marking) Act, 1937, (1 of 1937), on pages 228 to 250 of the Gazette of India, Part II, Section 3, Sub-section (ii), dated the 28th January, 1978, under the notification of the Government of India in the Ministry of Agriculture and Irrigation (Department of Rural Development), No. S.O. 252 dated the 9th January, 1978, inviting objections and suggestions from all persons likely to be affected thereby before the expiry of the period of forty five days from the date of publication of the said notification in the Official Gazette;

And whereas the copies of the said Gazette were made available to the public on the 28th January, 1978;

And whereas no objection or suggestion have been received from the public in respect of the said draft by the Central Government;

Now, therefore, in exercise of the powers conferred by Section 3 of the said Act, the Central Government, in supersession of the Oil Cakes Grading and Marking Rules, 1962, hereby makes the following rules, namely:—

### RULES

1. Short title and application.—These rules may be called Vegetable Oil Cakes (Expressed or Solvent Extracted) Grading and Marking Rules, 1979.

2. Definition.—In these rules,

(a) "Agricultural Marketing Adviser" means the Agricultural Marketing Adviser to the Government of India;

(b) "Schedule" means a Schedule appended to these rules.

3. Grade Designations.—The grade designations to indicate the quality of oil cakes (expressed or solvent extracted) shall be as set out in column (1) of Schedule II A to IX B.

4. Definition of Quality.—The quality indicated by the grade designation shall be as set out against each grade designation in Schedule IIA to IXB.

5. Grade Designation Marks.—The grade designation mark shall consist of a label bearing the design set out in Schedule I and specifying the grade designation, the name of the cake and whether it is expressed or solvent extracted.

6. Method of Marking.—The grade designation mark shall be securely affixed or stenciled on each container in a manner approved by the Agricultural Marketing Adviser and shall also indicate the number of the Certificate of Authorisation issued to the packer by the Agricultural Marketing Adviser.

(2) In addition, on every container the following particulars shall clearly and indelibly be marked:—

(a) Lot number

(b) Name of packer,

(c) Date of Packing,

(d) Place of packing.

(3) The authorised packer may, after obtaining the prior approval of the Agricultural Marketing Adviser, mark his private trade mark on the container in a manner approved by the said officer, provided that the private trade mark does not represent quality or grade of the oil cake different from that indicated by the grade designation mark affixed to the container in accordance with these rules.

7. Method of packing. (i) The oil cake shall be packed only in container made of jute or other material approved by the Agricultural Marketing Adviser from time to time.

(ii) Each container shall be securely closed and sealed and shall contain oil cake of one trade description and of one grade designation only.

8. Special conditions of Certificate of Authorisation.—In addition to the conditions specified in Rule 4 of the General Grading and Marking Rules, 1937, the following conditions shall also be the conditions of every Certificate of Authorisation issued for the purpose of these rules, namely:—

(i) Each authorised packer shall take all precautions to avoid admixture of oil cakes with castor seeds and castor cake.

(ii) if an authorised packer handles more than one type of oil cake in the same premises, adequate precautions shall be taken by him to avoid mixing of different oil cakes. The premises should be clean and hygienic and should be periodically fumigated.

(iii) the authorised packer shall make such arrangements for testing oil cakes as may be specified from time to time by the Agricultural Marketing Adviser and shall also maintain proper records of analysis of the samples.

(iv) all instructions regarding methods of sampling and analysis, packing and marking and maintenance of records, which may be issued from time to time by the Agricultural Marketing Adviser, shall be observed.

(v) a sample of oil cake drawn in the manner prescribed by the Agricultural Marketing Adviser from each lot, shall be forwarded to such control laboratory as may be notified from time to time.

#### SCHEDULE-I

(See rule 5)

Grade Designation Mark

#### SCHEDULE II-A

(See rules 3 and 4)

Grade designations and definitions of quality of groundnut oil cake—expressed.

| Grade Designations | Moisture per cent by weight (Maximum) | Crude protein nitrogen $\times 6.25$ per cent by weight (Minimum) | Crude fat or ether extract per cent by weight (Minimum) | Crude fibre, per cent by weight (Maximum) | Total ash per cent by weight (Maximum) | Acid insoluble ash per cent by weight (Maximum) | Castor husk | General characteristics   |
|--------------------|---------------------------------------|---|---|---|--|---|-------------|---|
| 1                  | 2                                     | 3   | 4   | 5   | 6                                      | 7   | 8           | 9   |
| Good               | 8.0                                   | 50.0  | 8.0   | 9.0                                       | 7.0                                    | 1.5   | Nil         | 1. Oil cake of good and fair grade shall be the products of decorticated groundnut alone obtained after the extraction of oil by power driven machinery.<br>2. Ghani oil cake shall be the product of decorticated groundnut alone obtained after the extraction of oil by animal driven ghani or chakki.<br>3. The material shall be of firm texture.<br>4. It shall be free from harmful constituents and castor cake or husk.<br>5. It shall be free from rancidity, adulterant, insect or fungus infestation and form fermented, musty or other objectionable odour.<br>6. It shall be free from dirt and extraneous matter.<br><br>Note :—The values specified in columns 3 to 7 are calculated on moisture free basis. Adopted from the Indian Standards Specification for decorticated groundnut oil cake as live-stock feed (IS : 1713-1960). |
| Fair               | 8.0                                   | 50.0  | 5.0   | 9.0                                       | 7.0                                    | 2.0   | Nil         |   |
| Ghani Cake         | 10.0                                  | 45.0  | 10.0  | 9.0                                       | 7.0                                    | 2.5   | Nil         |   |

## SCHEDULE II-B

(See Rules 3 and 4)

Grade designations and definitions of quality of groundnut oil cake—solvent extracted

| Grade designation | Moisture per cent by weight (Maximum) | Crude prote in (nitrogen $\times 6.25$ ) by weight (Minimum) | Crude fat or ether extract per cent by weight (Maximum) | Crude fibre per cent by weight (Maximum) | Acid in soluble ash, per cent by weight (Maximum) | Castor husk | General characteristics  |
|-------------------|---------------------------------------|--|---|--|---|-------------|--|
| 1                 | 2                                     | 3  | 4   | 5  | 6   | 7           | 8  |
| Good              | 10.0                                  | 51.0   | 1.0   | 10.0                                     | 2.5   | Nil         | 1. The solvent extracted groundnut oil cake (meal) shall be obtained by extraction of oil by means of a solvent from the expeller or ghani pressed groundnut oil cake. The meal may also be obtained directly from groundnut seeds after a preliminary treatment. The expeller or ghani pressed groundnut oil cake used for extraction shall have been obtained by pressing clean and sound groundnut ( <i>Arachis hypogea</i> L). The meal shall have been subjected to heat and steam treatment under controlled and regulated conditions so as to prevent denaturation of the protein and removal of traces of solvent. The material shall be in the form of either flakes or powder and shall be free from harmful constituents and castor cake or husk or both or mahua cake. It shall be free from rancidity, adulterants, insects or fungus infestation and from musty odour. |
| Fair              | 10.0                                  | 47.0   | 1.5   | 12.0                                     | 2.5   | Nil         |  |

Notes:—1. The values specified in columns 3 to 6 are calculated on moisture free basis. Adopted from the Indian Standards Specification for solvent extracted oil cake (meal) as Livestock feed (IS : 3441-1966).

2. Solvent for extraction :—Only Good grade solvent shall be used for the purpose of extraction. The requirements of the solvent shall be as follows:—

Boiling range 63°C to 71°C, Aromatic content maximum 1 per cent, Non-volatile content, maximum 0.001 g./100 ml.

## SCHEDULE III-A

(See rules 3 and 4)

Grade designations and definitions of quality of decorticated cotton seed oil cake—expressed.

| Grade designation | Moisture per cent by weight (Maximum) | Crude protein (nitrogen $\times 6.25$ ) per cent by weight (Minimum) | Crude fat or ether extract per cent by weight (Minimum) | Crude fibre per cent by weight (Maximum) | Total ash per cent by weight (Maximum) | Acid in soluble ash per cent by weight (Maximum) | Castor husk | General characteristics   |
|-------------------|---------------------------------------|--|---|--|--|--|-------------|---|
| 1                 | 2                                     | 3  | 4   | 5  | 6                                      | 7  | 8           | 9   |
| Good              | 8.0                                   | 40.0   | 8.0   | 10.0                                     | 7.0                                    | 1.5  | Nil         | 1. Shall be the product of clean cotton seed only, composed principally of the kernel with such un-avoidable portions of the hull and fibre as may be left in the course of manufacture of oil.<br><br>2. The material shall be firm but not flinty in texture. |
| Fair              | 8.0                                   | 41.0   | 5.0   | 12.0                                     | 8.0                                    | 2.0  | Nil         |   |
| No. 2             | 8.0                                   | 37.0   | 5.0   | 14.0                                     | 9.0                                    | 2.5  | Nil         |   |



3. It shall be free from harmful constituents and castor cake or husk.
4. It shall be free from rancidity, adulterants, insects or fungus infestation and from fermented, musty or other objectionable odour.
5. It shall be free from dirt and extraneous matter.

NOTE :—The values specified in columns 3 to 7 are calculated on moisture free basis. Adopted from the Indian Standards Specification for cotton seed oil cake as Livestock feed (IS : 1712-1960)

#### SCHEDULE III-B

(See rules 3 and 4)

Grade designations and definitions of quality of undecorticated cotton-seed oil-cake expressed

| Grade designation | Moisture per cent by weight (Maximum) | Crude protein (Nitrogen $\times 6.25$ ) per cent by weight (Minimum) | Crude fat or ether extract per cent by weight (Minimum) | Crude fibre per cent by weight (Maximum) | Total ash per cent by weight (Maximum) | Acid soluble ash per cent by weight (Maximum) | Castor husk | General characteristics   |
|-------------------|---------------------------------------|--|---|--|--|---|-------------|---|
| 1                 | 2                                     | 3  | 4   | 5  | 6                                      | 8   | 7           | 9   |
| Good              | 10.0                                  | 24.0   | 7.0   | 24.0                                     | 9.0                                    | 2.5   | Nil         | 1. Shall be the product resulting from the whole clean and wherever necessary, delinted (especially in the case of fuzzy seeds) cotton seed only after the expression of oil.<br>2. The material shall be firm but not flinty in texture.<br>3. It shall be free from harmful constituents and castor cakes or husk.<br>4. It shall be free from rancidity, adulterants, insects or fungus infestation and from fermented, musty or other objectionable odour.<br>5. Shall be free from dirt and extraneous matter. |
| Fair              | 10.0                                  | 24.0   | 7.0   | 28.0                                     | 9.0                                    | 2.5   | Nil         |   |

NOTE:—The values specified in columns 3 to 7 are calculated on moisture free basis. Adopted from Indian Standards Specification for cotton seed oil cake as livestock feed (IS : 1712-1960).

#### SCHEDULE III-C

(See rules 3 and 4)

Grade designations and definitions of quality of decorticated cotton seed oil cake (meal)—solvent extracted

| Grade designation | Moisture per cent by weight (Maximum) | Crude protein (Nitrogen $\times 6.25$ ) per cent by weight (Minimum) | Crude fat or ether extract per cent by weight (Maximum) | Crude fibre per cent by weight (Maximum) | Acid insoluble ash per cent by weight (Maximum) | General characteristics   |
|-------------------|---------------------------------------|--|---|--|---|---|
| 1                 | 2                                     | 3  | 4   | 5  | 6   | 7   |
| Good              | 8.0                                   | 42.0   | 1.5   | 12.0                                     | 2.0   | The solvent extracted cotton seed oil cake (meal) shall be obtained by extraction of oil by means of a solvent from decorticated cotton seed oil cake. The meal may |
| Fair              | 8.0                                   | 40.0   | 2.0   | 24.0                                     | 2.5   |   |

also be obtained directly from decorticated cotton seed after a certain preliminary treatment. Cotton seed oil cake used for extraction shall have been obtained by pressing clean and sound decorticated cotton seed. The meal shall have been subjected to heat and steam treatment under controlled and regulated conditions so as to remove traces of solvent. The material shall be in the form of either flakes or powder and shall be free from harmful constituents and castor cake or husk or both or mahua-cake. It shall be free from musty odour.

NOTE :—1. The values specified in columns 3 to 6 are calculated on moisture free basis. Adopted from Emergency Indian Standards Specifications for solvent extracted cotton seed oil cake (Meal) as livestock feed (IS : 3592-1966).

2. Solvent from Extraction : only hexane-food grade solvent shall be used for the purpose of extraction. The requirement of the solvent shall be as follows:—

Boiling range 63°C to 71°C

Aromatic content Max.....1 per cent.

Non volatile content Max.....0.001 gm/100ml.

#### SCHEDULE IV-A

(See rules 3 and 4)

##### Grade designations and definitions of quality of Linseed Oil Cake (Meal) expressed

| Grade designation | Moisture per cent by weight (Maximum) | Crude protein (nitrogen $\times 6.25$ ) per cent by weight (Minimum) | Crude fat or ether extract per cent by weight (Minimum) | Crude fibre per cent by weight (Maximum) | Total ash per cent by weight (Maximum) | Acid insoluble ash per cent by weight (maximum) | Castor husk | General characteristics   |
|-------------------|---------------------------------------|--|---|--|--|---|-------------|---|
| 1                 | 2                                     | 3  | 4   | 5  | 6                                      | 7   | 8           | 9   |
| Good              | 10.0                                  | 29.0   | 8.0   | 10.0                                     | 8.0                                    | 1.5   | Nil         | 1. Oil cake of good and fair grades shall be the product obtained after the extraction of oil from linseed by power-driven machinery.<br>2. Ghani oil cake shall be the product obtained after the extraction of oil from the linseed by animal driven ghani.<br>3. The material shall be free from harmful constituents and castor cake for husk.<br>4. It shall be free from rancidity, adulterants, insect or fungus infestation and from fermented, musty or other objectionable odour.<br>5. It shall be free from dirt and extraneous matter. |
| Fair              | 10.0                                  | 29.0   | 5.0   | 10.0                                     | 8.0                                    | 1.5   | Nil         |   |
| Ghani cake        | 10.0                                  | 26.0   | 15.0  | 6.0                                      | 9.0                                    | 2.5   | Nil         |   |

NOTE:—The values specified in columns 3 to 7 are calculated on moisture free basis. Adopted from the Indian Standards Specifications from linseed oil cake as livestock feed (IS : 1935-1961).

## SCHEDULE IV B

(See rules 3 and 4)

## Grade designations and definitions of quality of linseed oil cake solvent extracted

| Grade designation | Moisture per cent by weight (maximum) | Crude protein (nitrogen $\times 6.25$ ) per cent by weight (minimum) | Crude fat or ether extract per cent by weight (maximum) | Crude fibre per cent by weight (maximum) | Acid insoluble ash per cent by weight (maximum) | General characteristics  |
|-------------------|---------------------------------------|--|---|--|---|--|
| 1                 | 2                                     | 3  | 4   | 5  | 6   | 7  |
| Good              | 10.0                                  | 33.0   | 1.0   | 9.0                                      | 2.5   | The solvent extracted linseed oil cake (Meal) shall be obtained by extraction of oil, by means of solvent from the expeller or ghani pressed linseed oil cake. The meal may also be obtained directly from linseeds after a certain preliminary treatment. The extraction shall have been obtained by pressing clean and sound linseed ( <i>Linum-ustatissimum</i> L). The meal shall have been subjected to heat and steam treatment under controlled and regulated conditions so as to prevent denaturation of the protein and to remove traces of solvent. The material shall be in the form of either flakes or powder and shall be free from harmful constituents and castor cakes or husk or both or mahua cake. It shall be free from rancidity, adulterants, insects or fungus infestation and from musty odour. |
| Fair              | 10.0                                  | 29.0   | 1.5   | 11.0                                     | 2.5   |  |

NOTE :—1. The values specified in columns 3 to 6 are calculated on moisture free basis. Adopted from the Indian Standards Specification for solvent extracted linseed oil cake (meal) as livestock feed (IS : 3440-1966).

2. Solvent for extraction : Only hexane food grade solvent shall be used for the purpose of extraction. The requirements of the solvent shall be as follows:—

Boiling range 63° C to 71° C

Aromatic content max. 1 per cent.

Non-volatile content, max. 0.001 gram/100ml.

## SCHEDULE V A

(See rules 3 and 4)

## Grade designations and definitions of quality of Mustard Oil Cake-expressed

| Grade Designation | Moisture per cent by weight (maximum) | Crude protein (nitrogen $\times 6.25$ ) per cent by weight (minimum) | Crude fat or ether extract per cent by weight (minimum) | Crude fibre per cent by weight (maximum) | Total ash per cent by weight (maximum) | Acid insoluble ash per cent by weight (maximum) | Castor husk | General characteristics   |
|-------------------|---------------------------------------|--|---|--|--|---|-------------|---|
| 1                 | 2                                     | 3  | 4   | 5  | 6                                      | 7   | 8           | 9   |
| Good              | 10.0                                  | 35.0   | 8.0   | 9.0                                      | 8.0                                    | 1.5   | Nil         | 1. Oil cake of good and fair grades shall be the product obtained after the extraction of oil from mustard seed* by power-driven machinery. |
| Fair              | 10.0                                  | 37.0   | 5.0   | 10.0                                     | 9.0                                    | 2.0   | Nil         |   |
| Ghani cake        | 12.0                                  | 33.0   | 12.0  | 7.0                                      | 8.0                                    | 2.5   | Nil         |   |

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9  |
|---|---|---|---|---|---|---|---|--|
|   |   |   |   |   |   |   |   | <p>2. Ghani oil cake shall be the product obtained after the extraction of oil from mustard seed* by animal driven ghani or kolhu.</p> <p>3. The material shall be free from harmful constituents including argemone and castor cake or husk.</p> <p>4. It shall be free from rancidity, adulterants, insects or fungus infestation and from fermented musty or other objectionable odour.</p> <p>5. It shall be free from dirt and extraneous matter.</p> |

NOTE :—\*The term mustard seed includes rai (*Brassica juncea* coss), Sarson (*Brassica campestris* Var Sarson), toria (*N Brassica Compestris* Var Toria) and taramira (*Eruca Sativa*). The values specified in columns 3 to 7 are calculated on moisture free basis Adopted from the Indian Standards Specifications for mustard and range rape oil cake as livestock feed (IS : 1932-1961).

#### SCHEDULE V B

(See rules 3 and 4)

Grade designations and definitions of quality of mustard oil-cake-solvent extracted

| Grade designation | Moisture per cent by weight (maximum) | Crude protein (nitrogen $\times 6.25$ ) per cent by weight (maximum) | Crude fat or ether extract per cent by weight (maximum) | Crude fibre per cent by weight (maximum) | Acid insoluble ash per cent by weight (maximum) | General characteristics  |
|-------------------|---------------------------------------|--|---|--|---|--|
| 1                 | 2                                     | 3  | 4   | 5  | 6   | 7  |
| Good              | 10.0                                  | 45.0   | 1.0   | 11.0                                     | 1.8   | The solvent extracted mustard oil cake (Meal) shall be obtained by extraction of oil by means of a solvent from the hydraulic expeller or rotary pressed oil cake. The meal may also be obtained directly from sound mustard seed (rai- <i>Brassica-Juncea</i> , toria <i>Brassica compestris</i> ) and taramira ( <i>Eruca sativa</i> ) after a preliminary treatment. The meal shall have been subjected to heat and steam treatment under controlled and regulated conditions so as to prevent denaturation of the protein and to remove traces of solvent. The material shall be in the form either flakes or powder and shall be free from harmful constituents and castor cake or husk or both or mahua cake or argemone cake. It shall be free from rancidity, adulterants, insects or fungus infestation and from musty odour. |
| Fair              | 10.0                                  | 43.0   | 1.5   | 12.0                                     | 2.3   |  |

NOTE:—1. The values specified in columns 3 to 6 are calculated on moisture free basis. Not adopted from Indian Standards Institution Specifications.

2. Solvent for extraction : Only hexane food grade solvent shall be used for the purpose of extraction. The requirement of the solvent shall be as follows :—

Bolling rang 63°C to 71°C,

Aromatic content max. 1 per cent.

Non-volatile content "maximum" 0.001 gm/100ml.

## SCHEDULE VU A

(See rules 3 and 4)

## Grade designations and definitions of quality of sesamum (til) oil cake-expressed

| Grade designation | Moisture per cent by weight (maximum) | Crude protein (nitrogen x 6.25) per cent by weight (minimum) | Crude fat or ether extract per cent by weight (minimum) | Crude fibre per cent by weight (maximum) | Total ash per cent by weight (maximum) | Acid insoluble ash per cent by weight (maximum) | Castor husk | General characteristics   |
|-------------------|---------------------------------------|--|---|--|--|---|-------------|---|
| 1                 | 2                                     | 3  | 4   | 5  | 6                                      | 7   | 8           | 9   |
| Good              | 10.0                                  | 37.0   | 8.0   | 7.0                                      | 13.0                                   | 1.5   | Nil         | 1. Oil cakes of good and fair grades, shall be the products obtained after the extraction of oil from sesamum (til) seed by power driven machinery.<br>2. Ghani cake shall be the product obtained after the extraction of oil from sesamum (til) seeds by animal driven ghani.<br>3. The material shall be free from harmful constituents and castor cake or husk.<br>4. It shall be free from rancidity, adulterants, insects or fungus infestation and from fermented musty or other objectionable odour.<br>5. It shall be free from dirt of extraneous matter. |
| Fair              | 10.0                                  | 37.0   | 5.0   | 7.0                                      | 13.0                                   | 2.0   | Nil         |   |
| Ghani cake        | 10.0                                  | 36.0   | 14.0  | 7.0                                      | 13.0                                   | 2.0   | Nil         |   |

NOTE :— The values specified in columns 3 to 7 are calculated on moisture free basis. Adopted from the Indian Standards Specifications for sesamum (til) oil cake as Livestock feed (IS: 103 1934—1961).

## SCHEDULE VU B

(See rules 3 and 4)

## Grade designations and definitions of quality of sesamum (til) oil cake-solvent extracted

| Grade designation | Moisture per cent by weight (maximum) | Crude protein (nitrogen x 6.25) per cent by weight (minimum) | Crude fat or ether extract per cent by weight (maximum) | Crude fibre per cent by weight (maximum) | Acid insoluble ash per cent by weight (maximum) | General characteristics  |
|-------------------|---------------------------------------|--|---|--|---|--|
| 1                 | 2                                     | 3  | 4   | 5  | 6   | 7  |
| Good              | 10.0                                  | 44.0   | 1.0   | 8.5                                      | 1.8   | The solvent extracted sesamum (til) oil cake shall be obtained by extraction of oil by means of a solvent from the expeller or ghani pressed sesamum (til) oil cake. The oil cake may also be obtained directly from sesamum (til) after a certain preliminary treatment. The expeller or ghani pressed sesamum (til) seeds, oil cake used for extraction shall have been obtained by pressing clean and sound sesamum (til) seed. The oil cake shall have been subjected to heat and steam treatment under controlled and regulated conditions so as to prevent denaturation of protein and to remove traces of solvent. The material shall be in the |
| Fair              | 10.0                                  | 44.0   | 1.5   | 8.5                                      | 1.8   |  |

| 1 | 2 | 3 | 4 | 5 | 6 | 7   |
|---|---|---|---|---|---|---|
|   |   |   |   |   |   | form of either flakes or powder and shall be free from harmful constituents and castor cake or husk or both or mahua cake. It shall be free from rancidity, adulterants, insect or fungus infestation and from musty odour. |

NOTE : 1 The values specified in columns 3 to 6 are calculated on moisture free basis. Not adopted from the Indian Standards Specifications as the same are not yet finalised.

2. Solvent extraction : Only hexane food grade solvent shall be used for the purpose of extraction. The requirement of the solvent shall be as follows :—  
 Boiling range 63° C to 71°C.  
 Aromatic content maximum 1 per cent.  
 Non-volatile content maximum 0.001 gms/100 ml.

#### SCHEDULE VII A

(See rules 3 and 4)

##### Grade designations and definitions of quality of coconut oil cake-expressed

| Grade designation | Moisture per cent by weight (maximum) | Crude protein (nitrogen x 6.25) per cent by weight (minimum) | Crude fat or ether extract per cent by weight (minimum) | Crude fibre per cent by weight (maximum) | Total ash per cent by weight (maximum) | Acid insoluble ash per cent by weight (maximum) | Castor husk | General characteristics   |
|-------------------|---------------------------------------|--|---|--|--|---|-------------|---|
| 1                 | 2                                     | 3  | 4   | 5  | 6                                      | 7   | 8           | 9   |
| Good Ghani        | 10.0<br>12.0                          | 21.0<br>18.0   | 8.0<br>13.0   | 12.0<br>12.0                             | 8.0<br>8.5                             | 1.5<br>2.0                                      | Nil<br>Nil  | 1. Coconut oil cake of grade good shall be the product obtained after the extraction of oil from copra (dried coconut kernels) by power driven machinery.<br>2. Ghani grade oil cake shall be the product obtained after the extraction of oil from copra (dried coconut kernels) by the animal driven ghani or chakki.<br>3. The material shall be free from harmful constituents and castor cake or husk.<br>4. It shall be free from rancidity, adulterants insects or fungus infestation musty and other objectionable odour.<br>5. It shall be free from dirt and extraneous matter. |

NOTE :— The values specified in columns 3 to 7 are calculated on moisture free basis. Adopted from the Indian Standards Specification for coconut oilcake as Livestock feed (IS: 2154—1962).

#### SCHEDULE VII B

(See rules 3 and 4)

##### Grade designations and definitions of quality of coconut oil cake (meal) solvent extracted

| Grade designation | Moisture per cent by weight (maximum) | Crude protein (Nitrogen x 6.25) per cent by weight (minimum) | Crude fat or ether extract per cent by weight (maximum) | Crude fibre per cent by weight (maximum) | Acid insoluble per cent by weight (maximum) | General characteristics   |
|-------------------|---------------------------------------|--|---|--|---|---|
| 1                 | 2                                     | 3  | 4   | 5  | 6   | 7   |
| Good<br>Fair      | 10.0<br>10.0                          | 23.0<br>21.0   | 1.0<br>1.5  | 14.0<br>15.0                             | 1.5<br>2.0                                  | The solvent extracted coconut oil cake (meal) shall be obtained by extraction of oil by means of a solvent from the expeller or |

| 1 | 2 | 3 | 4 | 5 | 6 | 7   |
|---|---|---|---|---|---|---|
|   |   |   |   |   |   | ghani pressed coconut oil cake. The expeller or ghani pressed coconut oil cake used for extraction shall have been obtained by pressing clean and sound coconut. The meal shall have been subjected to heat and steam treatment under controlled and regulated conditions so as to remove traces of solvent. The material shall be in the form of either flakes or powder. It shall be free from harmful constituents and castor cake or husk or both and mahua cake. It shall be free from rancidity, adulterants, insects or fungus infestation and from musty odour. |

Notes : — 1. The values specified in columns 3 to 6 are calculated on moisture free basis. Adopted from Emergency Indian Standards Specifications for a solvent extracted coconut oil cake (meal) as livestock feed (IS: 3591-E-1966).

2. Solvent for extraction: Only hexane food grade solvent shall be used for the purpose of extraction. The requiremet of the solvent shall be as follows :—

Boiling range 63°C to 71°C.

Aromatic content max; 1 per cent,

Non-volatile content max. 0.001 gm/100 ml.

#### SCHEDULE VIII A

(See rules 3 and 4)

Grade designations and definitions of quality of safflower oil cake-expressed

| Trade Designation | Moisture per cent by weight (Maximum) | Crude protein (nitrogen $\times 6.25$ ) per cent by weight (minimum) | Crude fat or ether extract per cent by weight (minimum) | Crude fibre per cent by weight (maximum) | Total ash per cent by weight (maximum) | Acid insoluble ash per cent by weight (maximum) | Castor husk. | General characteristics.   |
|-------------------|---------------------------------------|--|---|--|--|---|--------------|--|
| 1                 | 2                                     | 3  | 4   | 5  | 6                                      | 7   | 8            | 9  |
| Good              | 8.0                                   | 41.0   | 8.0   | 13.0                                     | 8.0                                    | 1.0   | Nil          | 1. Oil cake of good and fair grades shall be the product of safflower seeds ( <i>Carthamus tinctorious</i> L) obtained after the extraction of oil from sound and clean seeds by power driven machinery.<br>2. Ghani oil cake shall be product obtained after the expression of oil from clean and sound Safflower seeds. ( <i>Carthamus tinctorious</i> L) by animal driven ghani or chakki.<br>3. The material shall be of firm texture.<br>4. It shall be free from harmful constituents and castor cake or husk.<br>5. It shall be free from rancidity adulterants and insects or fungus infestation and from fermented musty or other objectionable odor.<br>6. It shall be free from dirt and extraneous matter. |
| Fair              | 8.0                                   | 39.0   | 10.0  | 15.0                                     | 8.0                                    | 2.0   | Nil          |  |
| Ghani cake        | 10.0                                  | 38.0   | 13.0  | 12.0                                     | 8.0                                    | 1.0   | Nil          |  |

Note :— The values specified in columns 3 to 7 are calculated on moisture free basis.

## SCHEDULE VIII B

(See rules 3 and 4)

Grade designations and definitions of quality of safflower oil cake-solvent extracted.

| Grade designation | Moisture per cent by weight (maximum) | Crude protein (nitrogen $\times 6.25$ ) per cent by weight (minimum) | Crude fat or ether extract per cent by weight (maximum) | Acid insoluble ash per cent by weight (maximum) | Crude fibre per cent by weight (maximum) | General characteristics   |
|-------------------|---------------------------------------|--|---|---|--|---|
| 1                 | 2                                     | 3  | 4   | 5   | 6  | 7   |
| Good              | 10.0                                  | 50.0   | 1.0   | 1.5   | 15.0                                     | The solvent extracted safflower oil cake (meal) shall be obtained by extraction of oil by means of a solvent from the ghani or expeller pressed safflower oil cake. The ghani or expeller pressed safflower oil cake shall have been obtained by pressing clean and sound safflower seeds ( <i>Carthamus tinctorious</i> L). The extracted oil cake (meal) shall have been subjected to heat and steam treatment under controlled and regulated conditions so as to prevent denaturation of the protein and to remove traces of solvent. The material shall be in the form of either flakes or powder and shall be free from harmful constituents or castor cake or husk or both or mahua cake. It will be free from rancidity, adulterants, insect or fungus infestation and from musty odour. |
| Fair              | 10.0                                  | 47.0   | 1.0   | 2.5   | 18.0                                     |   |

- Notes :— 1. The values specified under columns 3 to 6 are on moisture free basis.  
 2. The specifications are at draft stage with the Indian Standards Institution and not yet finalised.  
 3. Solvent for extraction: Only hexane food grade solvent shall be used for the purpose of extraction. The requirements of the solvent shall be as follows:—  
 Boiling range 63° C to 71°C.  
 Aromatic content max. 1 per cent.  
 Non-volatile content max. 0.001 gms/100ml.

## SCHEDULE IX A

(See rules 3 and 4)

Grade designations and definitions of quality of niger seed oil cake-expressed.

| Grade designation | Moisture per cent by weight (maximum) | Crude protein (nitrogen $\times 6.25$ ) per cent by weight (minimum) | Crude fat or ether extract per cent by weight (minimum) | Crude fibre per cent by weight (maximum) | Total ash per cent by weight (maximum) | Acid soluble ash per cent by weight (maximum) | Castor husk | General characteristics.   |
|-------------------|---------------------------------------|--|---|--|--|---|-------------|--|
| 1                 | 2                                     | 3  | 4   | 5  | 6                                      | 7   | 8           | 9  |
| Good              | 9.0                                   | 29.0   | 8.0   | 9.0                                      | 8.0                                    | 1.0   | Nil         | 1. Oil cake of good and fair grades shall be the product of niger seeds ( <i>Guizotia abyssinica</i> Cass) obtained after the extraction of oil from sound and clean nigerseeds by power driven machinery. |
| Fair              | 9.0                                   | 23.0   | 10.0  | 12.0                                     | 8.0                                    | 2.0   | Nil         |  |
| Ghani cake        | 10.0                                  | 27.0   | 13.0  | 9.0                                      | 8.0                                    | 1.0   | Nil         |  |



| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9  |
|---|---|---|---|---|---|---|---|--|
|   |   |   |   |   |   |   |   | <p>2. Ghani oil cake shall be produced obtained after the extraction of oil from clean and sound niger seeds (<i>Guizotia abyssinica</i> cass) by animal driven ghani or chakki.</p> <p>3. The material shall be in firm texture.</p> <p>4. It shall be free from harmful constituents and castor cake or husk.</p> <p>5. It shall be free from rancidity adulterants insects or fungus infestations and from fermented, musty or other objectionable odour.</p> <p>6. It shall be free from dirt and extraneous matter.</p> |

Note : — The values specified in columns 3 to 7 are calculated on moisture free basis.

#### SCHEDULE IX B

(See rules 3 and 4)

Grade designations and definitions of quality of niger seed oil cake-solvent extracted.

| Grade designation | Moisture<br>per cent<br>by weight<br>(Maximum) | Crude<br>protein<br>(nitrogen<br>x 6.25)<br>per cent<br>by weight<br>(minimum) | Crude fat<br>or ether<br>extract<br>per cent<br>by weight<br>(maximum) | Acid inso-<br>luble ash<br>per cent<br>by weight<br>(maximum) | Crude<br>fibre<br>per cent<br>by weight<br>(maximum) | General characteristics  |
|-------------------|--|--|--|---|--|--|
| 1                 | 2  | 3  | 4  | 5   | 6  | 7  |
| Good              | 9.0  | 35.0   | 1.0  | 1.5   | 12.0   | The solvent extracted niger oil cake (meal) shall be obtained by extraction of oil by means of a solvent from the ghani or expeller pressed niger seed oil cake shall have been obtained by pressing clean, sound niger seed ( <i>Guizotia abyssinica</i> cass). The meal shall have been subjected to heat and steam treatment under controlled and regulated conditions so as to prevent denaturation of the protein and to remove traces of solvent. The material shall be free from harmful constituents of castor cake or husk or both or mahua cake. It shall be free from rancidity, adulterants, insects or fungus infestation and from musty odour. |
| Fair              | 9.0  | 29.0   | 1.0  | 2.5   | 15.0   |  |

Notes :— 1. The values specified in columns 3 to 6 are on moisture free basis.

2. The specifications are at draft stage with Indian Standards Institution and not yet finalised.

3. Solvent for extraction: Only hexane food grade solvent shall be used for the purpose of extraction. The requirements of the solvent shall be as follows :—

Boiling range 63° C. to 71° Aromatic content max: 1 per cent,

Non-volatile content max: 0.001 gms/100ml.

[No. F.13-8/76-AM]

PRAKASH CHANDER, Under Secy.

**नौवहन और परिवहन मंत्रालय**

(परिवहन पक्ष)

नई दिल्ली, 17 सितम्बर, 1979

(व्यापार पोत)

का०आ० 3425—व्यापार पोत अधिनियम, 1958 (1958 का 14) की धारा 11 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निम्न वेनी है कि भारत सरकार के तत्कालीन परिवहन और संचार मंत्रालय (परिवहन विभाग) की अधिसूचना सं० का०आ० 3132 दिनांक 17 दिसम्बर, 1960 में निम्नलिखित गौधन किया जाए, अर्थात् —

उक्त अधिसूचना की अनुसूची में, सब 'तूर्तीकारिन पत्तन' के सामने कावम दा में दी गई प्रविष्टि के स्थान पर प्रविष्टि "सर्वोत्कृष्ट-प्रभारी का कार्यालय, जन परिवहन विभाग, तूर्तीकारिन" रखी जाए।

[फा० सं० 5-एम०एस०आर० (20) 79-एम०ए]

कृष्ण जाल, प्रवर सचिव

**MINISTRY OF SHIPPING AND TRANSPORT**

(Transport Wing)

New Delhi, the 17th September, 1979

**MERCHANT SHIPPING**

S.O. 3425.—In exercise of the powers conferred by sub-section (3) of section 11 of the Merchant Shipping Act, 1958 (44 of 1958), the Central Government hereby directs that the following amendment shall be made in the notification of the Government of India in the late Ministry of Transport and Communications (Department of Transport) No. S.O. 3132, dated the 17th December, 1960, namely:—

In the Schedule to the said notification, for the entry in the second column against the item relating to the Port of Tuticorin, the entry "Office of the Surveyor-in-charge, Mercantile Marine Department, Tuticorin" shall be substituted.

[F. No. 5-MRS(20)/79-MA]

K. LALL, Under Secy.

**पूरि और पुनर्वासि मंत्रालय**

(पुनर्वासि विभाग)

नई दिल्ली, 18 सितम्बर, 1979

बन्धोबस्त कक्ष

का०आ० 3426—पुनर्वासि विभाग (बन्धोबस्त खण्ड) के बन्धोबस्त अधिकारी श्री प्रीतम सिंह की स्वेच्छा से 31 अगस्त 1979 के प्रपगन्ध से सेवा निवृत्त कर दिया गया है।

[सं० 19012/4/78-जी०एड०/प्रणा०/एम० डब्ल्यू]

बी०बी० शर्मा, उप सचिव

**MINISTRY OF SUPPLY & REHABILITATION**

(Department of Rehabilitation)

New Delhi, the 18th September, 1979

**SETTLEMENT WING**

S.O. 3426.—Shri Pritam Singh, Settlement Officer in the Department of Rehabilitation (Settlement Wing) retired voluntarily from service with effect from the afternoon of 31-8-1979.

[No 19012(4)/76-GZ/Admn/SW]

B. B. SHARMA, Dy. Secy.

**संचार मंत्रालय**

(डाक तार बोर्ड)

नई दिल्ली, 20 सितम्बर, 1979

का०आ० 3427.—प्राचीन आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 का नियम 434 के खंड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने परकी बैजनाथ टेलीफोन केंद्र में दिनांक 1-12-79 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-26/79-पी एच बी]

आर०पी० कटारिया, सहायक महानिदेशक (पी०एच०बी०)

**MINISTRY OF COMMUNICATIONS**

(P &amp; T Board)

New Delhi, the 20th September, 1979

S.O. 3427.—In pursuance of para (a) of section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies 1-12-1979 as the date on which the Measured Rate System will be introduced in Parli Vajinath Telephone Exchange, Maharashtra Circle.

[No 5-26/79-PHB.]

R. C. KATARIA, Assistant Director General (PHB)

**अम मंत्रालय**

नई दिल्ली, 17 सितम्बर 1979

का०आ० 3428.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स कृष्णा रेडीमेड हॉल, रॉक फोर्ट गेट, त्रिची-2, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों को बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 मार्च, 1977 को प्रदत्त हुई समझी जाएगी।

[सं० एम० 35019/147/79-पी०एफ०2]

**MINISTRY OF LABOUR**

New Delhi, the 7th September, 1979

S.O. 3428.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Krishna Ready-made Hall, Rock Fort Gate, Trichy-2, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of March, 1977.

[No. S. 35019/147/79-PF.II]

का०आ० 3429—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स पी एम जी एण्ड सन्स बैरिटीज, मेटालर्जी एण्ड फाउण्ट्री डिजिटल, नीलाम्बर, कोयम्बटूर-14, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों

की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकाश उद्योग अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अप्रैल, 1978 को प्रवृत्त हुई समझी जाएगी।

[सं. एम० 35019/178/79-पी.एफ. 2 (1)]

**S.O. 3429.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishments known as Messrs. PSG and Sons Charities, Metallurgy and Foundry Division, Neelambur, Coimbatore-14 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of April, 1978.

[No. S. 35019(178)/79-PFI(ii)]

**का० प्रा० 3430.**—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकाश उद्योग अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, संबंध विषय में आवश्यक जांच करने के पश्चात् 1 अप्रैल, 1978 में मैसर्स पी एम जे एण्ड सन कोयंबटूर मेटलर्जी एण्ड फाउण्ड्री डिविजन, नीलाम्बर, कोयंबटूर 14, नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[का० सं० एम० 35019(179)/79-पी.एफ. 2 (ii)]

**S.O. 3430.**—In exercise of the powers conferred by the first proviso to section 6 of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of April, 1978 the establishment known as Messrs PSG and Sons Charities, Metallurgy and Foundry Division, Neelambur, Coimbatore-14 for the purposes of the said proviso.

[No. S. 35019(179)/79-PF-II(ii)]

**का० प्रा० 3431.**—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स दि एरेस्टो वियर टेल्स, जनपथ, यूनिट नं० 3, भुवनेश्वर-1, नामक स्थापन में सम्बद्ध निजीक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकाश उद्योग अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अगस्त, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35019/180/79-पी.एफ. 2]

**S.O. 3431.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs The Aristo Wear Tailors, Janpath, Unit No. 3, Bhubaneswar-1, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of August, 1977.

[No. S. 35019/180/79-PF, II]

**का० प्रा० 3432.**—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स इण्डिया ओवरसीज हाजिरपेट, 10-बी, देवंगपुरम स्ट्रीट, तिरुप्पुर-2 नामक स्थापन में सम्बद्ध निजीक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकाश उद्योग अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 सितंबर, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35019/181/79-पी.एफ. 2]

**S.O. 3432.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs India Overseas Hosierys 10C, Devangapura mStreet, Tiruppur-2, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of May, 1977.

[No. S. 35019/181/79-PF, II]

**का० प्रा० 3433.**—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स खादी ग्रामोद्योग भवन, खादी और ग्राम उद्योग आयोग, एर्नाकुलम ग्राम, कनयादूर गावुन कोचिन-16, नाम स्थापन में सम्बद्ध निजीक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकाश उद्योग अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जनवरी, 1979 को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35019/182/79-पी.एफ. 2]

**S.O. 3433.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Khadi Gramodyog Bhavan, Khadi and Village Industries Commission, Ernakulam Village Kanayannur Taluk, Cochin-16, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1979.

[No. S. 35019/182/79-PF, II]

का० प्रा० 3434—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मिनीमैक, 7, सुन्दर राव नायडू रोड, मद्रास-6 नाम स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जनवरी, 1979 को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35019/184/79-पी०एफ०-2]

S.O. 3434.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Minimac 7, Sundar Rao Naidu Road, Madras-6, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1979

[No. S. 35019(184)/79-PF-II]

का. आ. 3435.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स साउदर्न इण्डिया रिजनल काउंसिल आफ इन्स्टीट्यूट आफ कास्ट एण्ड वर्म एकाउटेन्स आफ इण्डिया, नम्बर 65, मानटिएथ लेन, मद्रास-8, नाम स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अगस्त, 1978 को प्रवृत्त हुई समझी जाएगी।

[फा. सं. एम. 35019/185/79-पी. एफ. -2(1)]

S.O. 3435.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Southern India Regional Council of Institute of Cost and Works Accountants of India, No. 65, Monticeth Lane, Madras-8, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of August, 1978.

[No. S. 35019(185)/79 PF-II(i)]

का. आ. 3436.—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बन्ध विषय में आवश्यक जांच करने के पश्चात् 1 अगस्त, 1978 में मैसर्स साउदर्न इण्डिया रिजनल काउंसिल आफ इन्स्टीट्यूट आफ कास्ट एण्ड वर्म एकाउटेन्स आफ इण्डिया, नम्बर 65, मानटिएथ लेन, मद्रास-8 नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[फा. सं. एम. 35019/185/79-पी. एफ. -2(2)]

S.O. 3436.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of August, 1978 the establishment known as Messrs Southern India Regional Council of Institute of Cost and Works Accountants of India, No. 65 Monticeth Lane Madras-8 for the purposes of the said proviso.

[No. S. 35019(185)/79-PF-II(ii)]

का० प्रा० 3437.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स जयन्त इण्डस्ट्रियल एंड साइंटिफिक रिसर्च (प्राइवेट) लिमिटेड, प्लॉट नं० सी-12 वाग्ले इण्डस्ट्रियल इस्टेट, थाने-4, जिनके अन्तर्गत अन्ना-पूर्ण बंगला, 1/12, इरान्दावने, पुणे-4, स्थित उसकी शाखा भी है, नाम स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 दिसम्बर, 1975 को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35018(79)/79-पी०एफ०-2(1)]

S.O. 3437.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Jayant Industrial and Scientific Research (Private) Limited, Plot No. C-12, Wagle Industrial Estate, Thane-4 including its branch at Anna Purna Bunglow, 1/12, Erandavane, Pune 4, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of December, 1975.

[No. S. 35018(79)/79-PF-II(i)]

का० प्रा० 3438.—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, संबंध विषय में आवश्यक जांच करने के पश्चात् 31 जनवरी, 79 में मैसर्स लाल बाजार स्ट्रीट, कलकत्ता-1, नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[फा० सं० एम० 35017/44/79-पी०एफ०-2(2)]

S.O. 3438.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the thirty-first day of January, 1979 the establishment known as Messrs Lal Haj Amil Hussain Properties (Private) Limited, 9/12, Lal Bazar Street, Calcutta-1, for the purposes of the said proviso.

[No. S. 35017(44)/79-PF-II(iii)]

का० आ० 3439.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स अल हज अमीर हुसैन प्रोपर्टीज (प्राइवेट) लिमिटेड, 9/12, लाल बाजार स्ट्रीट, कलकत्ता-1, नाम स्थापन में सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 जनवरी, 1979 को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35017/44/79-पी० एफ० 2(1)]

S.O. 3439.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs AL Haj Amir Hassan Properties (Private) Limited, 9/12, Lal Bazar Street, Calcutta-1, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of January, 1979.

[No. S. 35017/44/79-PF. II(1)]

का० आ० 3440.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मन्दिरताला कंजुमर्स कोऑपरेटिव स्टोर्स लिमिटेड 17/1 कैलाश शोप रोड, कलकत्ता-8 जिसके प्रान्तगत (1) शाखा स्टोर 42, मोतीलाल गुप्ता रोड, कलकत्ता-8 और (2) राशन, दुकान 42, मोतीलाल गुप्ता रोड, कलकत्ता-8, स्थित उसकी शाखाएं भी हैं, नाम स्थापन में सम्बद्ध नियोजक और कर्मचारियों की बहु संख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जुलाई, 1978 को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35017/43/79-पी० एफ० 2]

S.O. 3440.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mandiratala Consumer's Co-operative Stores Limited, 17/1, Kailash Ghosh Road, Calcutta-8 including its branches at (i) Branch Stores 42, Motilal Gupta Road, Calcutta-8 and (ii) Ration Shop 42, Motilal Gupta Road, Calcutta-8, have agreed that the provision of the Employees' Provident Funds and Miscellaneous provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of July, 1978.

[No. S. 35017/43/79-PF. II]

का० आ० 3441.—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 87 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का० आ० 2451, तारीख 8 अगस्त, 1978 के अनुक्रम में, दामोदर बैली कारपोरेशन, के (1) 132 के० बी० ग्रिड सब-स्टेशन, कुमारघुषी

(2) 132 के०बी० ग्रिड सब-स्टेशन, नई गरग, रामगढ़ और (3) दामोदर बैली कारपोरेशन सब-स्टेशन हवड़ा को पहली अक्टूबर 1978 से 30 सितम्बर, 1979 तक, जिसमें यह तारीख भी सम्मिलित है, एक और वर्ष की अवधि के लिए उक्त अधिनियम के प्रवर्धन से छूट देती है।

2. पूर्वोक्त छूट की शर्तें निम्नलिखित हैं, अर्थात् :—

(1) उक्त कारखाने का नियोजक, उक्त अवधि की बाबत जिसके दौरान उस कारखाने पर उक्त अधिनियम प्रवर्तमान था (जिसे इसमें इसके पश्चात् 'उक्त अवधि' कहा गया है), ऐसी विवरणियां ऐसे प्ररूप में और ऐसी विशिष्टियां सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी थी।

(2) निगम द्वारा उक्त अधिनियम की धारा 45 की उपधारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक या निगम का इन्स निमित्त प्राधिकृत कोई अन्य पदधारी—

(i) धारा 44 की उपधारा (1) के अधीन, उक्त अवधि की बाबत वो गई किसी विवरणी की विशिष्टियों को सत्यापित करने के प्रयोजनार्थ; या

(ii) यह अभिनियमित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथा अपेक्षित रजिस्टर और अभिलेख का, उक्त अवधि के लिए रखे गए थे, या नहीं; या

(iii) यह अभिनियमित करने के प्रयोजनार्थ कि कर्मचारी, नियोजक द्वारा किए गए उन फायदों को, जिसके प्रतिकाररूप इस अधिसूचना के अधीन छूट दी जा रही है, तबक में और वस्तु रूप में पाने का हक्कदार बना हुआ है या नहीं; या

(iv) यह अभिनियमित करने के प्रयोजनार्थ कि उस अवधि के दौरान जब उक्त कारखाने के संबंध में अधिनियम के उपबन्ध प्रवृत्त थे, ऐसे किन्हीं उपायों का अनुपालन किया गया था या नहीं;

निम्नलिखित कार्य करने के लिए सशक्त होगा :—

(क) प्रधान या अध्यक्ष नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है; या

(ख) ऐसे प्रधान या अध्यक्ष नियोजक के अधिकभोगनीय किसी कारखाने, स्थापन कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संशय से संबंधित ऐसे लेखा, बहिया और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करे और उनकी परीक्षा करने के, या उन्हें ऐसी जानकारी दे जिसे वे आवश्यक समझते हैं; या

(ग) प्रधान या अध्यक्ष नियोजक की, उसके अधिकारों या सेवक की या ऐसे किसी व्यक्ति की जो ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में पाया जाए, या ऐसे किसी व्यक्ति की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विश्वास करने का युक्तिमय कारण है कि वह कर्मचारी है, परीक्षा करना; या

(घ) ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखाबही या अन्य दस्तावेज की नकल तैयार करना या उससे पद्धरण लेना।

व्याख्यात्मक टिप्पण

इस मामले में पूर्वापेक्षी प्रभाव से छूट देने आवश्यक हो गई है, क्योंकि छूट के लिए प्रार्थनापत्र पर कार्यवाही करने में समय लगा। तथापि यह प्रमाणित किया जाता है कि पूर्वापेक्षी प्रभाव से छूट देने में किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

[सं० एस-38014/9/78-एन. आई.]

**S.O. 3441.**—In exercise of the powers conferred by section 87 of the Employees' State Insurance Act, 1948 (34 of 1948) and in continuation of the notification of the Government of India in the Ministry of Labour No. S. O. 2451, dated the 8th August, 1973 the Central Government hereby exempts (1) 132 K. V. Grid Sub-section Kumardhobi, (2) 132 K. V. Grid Sub-station, Naisarai, Ramgarh and (3) Damodar Valley Corporation Sub-Station Howrah belonging to the Damodar Valley Corporation from the operation of the said Act for a further period of one year with effect from the 1st October, 1978 upto and inclusive of the 30th September, 1979.

2. The above exemption is subject to the following conditions, namely :—

(1) The employer of the said factory shall submit in respect of the period during which that factory who was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulation, 1950.

2. Any Inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act, or other Official of the Corporation authorised in this behalf shall for the said period ; or

- (i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period ; or
- (ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period ; or
- (iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification ; or
- (iv) ascertaining whether any of the provisions of the Act has been complied with during the period when such provisions were in force in relation to the said factory ;

be empowered to—

- (a) require the principal or immediate employer to furnish to him such information, as he may consider necessary ; or
- (b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found incharge thereof to produce to such Inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary ; or

(c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises, or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee ; or

(d) make copies of or take extracts from, any register, account book or other document maintained in such factory, establishment, office or other premises.

[No. S. 38014/9/78-H11]

#### Explanatory Memorandum

It has become necessary to give retrospective effect to the exemption in this case, as the processing of the application for exemption took time. However, it is certified that grant of exemption with retrospective effect will not affect the interest of anybody adversely.

का० आ० 3442.—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 88 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या आ०आ० 849, तारीख 10 मार्च, 1978 और संख्या आ०आ० 2198, तारीख 14 जुलाई, 1978 के अनुक्रम में, इस से उपाखण्ड अनुसूची में विनिर्दिष्ट तथा भारत सरकार के उद्योग मंत्रालय से सम्बद्ध कारखानों के नियमित कर्मचारियों को पूर्वोक्त अनुसूची के स्लम्ब 3 की तत्स्थानी प्रविष्टियों में विनिर्दिष्ट अवधि के लिए इस अधिनियम के प्रवर्तन से छूट देती है।

2. पूर्वोक्त छूट की शर्तें निम्नलिखित हैं, अर्थात् :—

- (1) पूर्वोक्त कारखाना, जिसमें कर्मचारी नियोजित हैं, एक रजिस्टर रखेगा, जिसमें छूट प्राप्त कर्मचारियों के नाम और पदाभिधान विख्याते जाएंगे;
- (2) इस छूट के होते हुए भी, कर्मचारी उक्त अधिनियम के अधीन ऐसी प्रशिक्षण प्राप्त करते रहेंगे, जिनको पाने के लिए वे इस अधिसूचना द्वारा दी गई छूट के प्रयुक्त होने की तारीख से पूर्व संवत्त अभिदायों के आधार पर हकदार हो जाते;
- (3) छूट प्राप्त अवधि के लिए यदि कोई अभिदाय पहले ही किए जा चुके हों तो वे बाकि नही किये जाएंगे,
- (4) उक्त कारखाने का निर्देशक, उस अवधि की वाबत जिसके दौरान उस कारखाने पर उक्त अधिनियम प्रवर्तमान था (जिसमें इसमें इसक पश्चात् "उक्त अवधि" कहा गया है), ऐसी विवरणियाँ ऐसे प्ररूप में और ऐसी विशिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की वाबत देती थी;
- (5) निगम द्वारा उक्त अधिनियम की धारा 45 की उप-धारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक, या निगम का इस निमित्त प्राधिकृत कोई अन्य पदधारी :—
  - (i) धारा 44 की उपधारा (1) के अधीन, उक्त अवधि की वाबत दी गई किसी विवरणी की विशिष्टियों को स्थापित करने के प्रयोजनार्थ; या

- (ii) यह अभिनिर्दिष्ट करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथाप्रयोजित रजिस्टर और अभिलेख उक्त अवधि के लिए रखे गए थे या नहीं; या
- (iii) यह अभिनिर्दिष्ट करने के प्रयोजनार्थ कि कर्मचारी, नियोजक द्वारा दिए गए उन फायदों को, जिनके प्रतिफल स्वरूप इस अधिसूचना के अधीन छूट हो जा रही है, नकद में और वस्तु रूप में पाने का हकदार बना हुआ है या नहीं; या
- (iv) यह अभिनिर्दिष्ट करने के प्रयोजनार्थ कि उस अवधि के दौरान, जब उक्त कारखाने के संबंध में अधिनियम के उपबंध प्रवृत्त थे, ऐसे किन्हीं उपबंधों का अनुपालन किया गया था या नहीं,

- 3 लघु उद्योग सेवा संस्थान विस्तार 1-10-1978 से 30-9-1979 केन्द्र, विजयवाड़ा।
- 4 लघु उद्योग सेवा संस्थान, कलकत्ता 1-10-1978 से 30-9-1979 से सम्बद्ध मशीन शॉप एवं औजार-वक्ष।
- 5 लघु उद्योग सेवा संस्थान, विस्तार 1-10-1978 से 30-9-1979 केन्द्र, कोयम्बटूर।
- 6 लघु उद्योग सेवा संस्थान, विस्तार 1-10-1978 से 30-9-1979 केन्द्र, मडुराई।
- 7 लघु उद्योग सेवा संस्थान जम शोध 1-10-1978 से 30-9-1979 केन्द्र, इरोड़।
- 8 लघु उद्योग सेवा एकक केन्द्रीय कर्म 1-6-1978 से 30-9-1979 शाला, गुरुडी, मद्रास।

निम्नलिखित कार्य करने के लिए सशक्त होगा :—

[सं० एस०-38014/12/79-एच० आई०]

#### व्यावसायिक शायन

- (क) प्रधान या अव्यवहित नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है;

इस मामले में पूर्वोपेक्षी प्रभाव से छूट देनी आवश्यक हो गई है, क्योंकि छूट के लिए प्रार्थना देर से प्राप्त हुई थी। तथापि यह प्रमाणित किया जाता है, कि कारखाना में बग़र काम करने वाले कर्मकार छूट के पात्र हैं। यह भी प्रमाणित किया जाता है कि पूर्वोपेक्षी प्रभाव से छूट देने से किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

- (ख) ऐसे प्रधान या अव्यवहित नियोजक के अधिभोगाधीन किसी कारखाने, स्थापन, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संबंध से संबंधित ऐसे लेखा, बहियां और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करे और उनकी परीक्षा करने दे, या उन्हें ऐसी जानकारी दे जिसे वे आवश्यक समझते हैं, या

**S.O. 3442.**—In exercise of the powers conferred by section 88 of the Employees' State Insurance Act, 1948 (34 of 1948) and in continuation of the notification of the Government of India in the Ministry of Labour No. S.O. 849, dated 10th March, 1978, and No. S.O. 2198, dated the 14th July, 1978, the Central Government hereby exempts the regular employees of the factories specified in the Schedule annexed hereto, belonging to the Government of India in the Ministry of Industry, from the operation of the said Act for the period specified in the corresponding entries in column 3 of the aforesaid Schedule.

- (ग) प्रधान या अव्यवहित नियोजक की उसके अधिकर्ता या सेवक की, या ऐसे किसी व्यक्ति की जो ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में पाया जाए, या ऐसे किसी व्यक्ति कि जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विश्वास करने का व्यक्तिगत कारण है कि वह कर्मचारी है, परीक्षा करना या

2. The above exemption is subject to the following conditions, namely :—

- (घ) ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखाबही या अन्य दस्तावेज की नकल तैयार करना या उससे उद्धरण लेना।

- (1) The aforesaid factory wherein the employees are employed shall maintain a register showing the names and designations of the exempted employees;

- (2) Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by the notification operates;

- (3) The contributions for the exempted period, if already paid, shall not be refunded;

- (4) The employer of the said factory shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;

#### अनुसूची

| क्रम सं० | कारखाने का नाम                                   | छूट की अवधि            |
|----------|--|------------------------|
| 1        | 2  | 3                      |
| 1.       | लघु उद्योग सेवा संस्थान कर्मशाला, जयपुर।         | 1-10-1978 से 30-9-1979 |
| 2.       | लघु उद्योग सेवा संस्थान विस्तार केन्द्र, जोधपुर। | 1-10-1978 से 30-9-1979 |

(5) Any inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act, or other Official of the Corporation authorised in this behalf shall, for the purposes of—

- (i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period ; or
- (ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period ; or
- (iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification ; or
- (iv) ascertaining whether any of the provisions of the Act had been complied with during the period when such provisions were in force in relation to the said factory,

be empowered to —

- (a) require the principal or immediate employer to furnish to him such information as he may consider necessary ; or
- (b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found incharge thereof to produce to such Inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary ; or
- (c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises, or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee ; or
- (d) make copies of or take extracts from, any register, account book or other document maintained in such factory, establishment, office or other premises.

#### SCHEDULE

| Sl. No. | Name of the factory   | Period of exemption    |
|---------|---|------------------------|
| 1       | 2   | 3                      |
| 1.      | Small Industries Service Institute Workshop Jaipur.                                   | 1-10-1978 to 30-9-1979 |
| 2.      | Small Industries Service Institute, Extension Centre, Jodhpur.                        | 1-10-1978 to 30-9-1979 |
| 3.      | Small Industries Service Institute, Extension Centre, Vijayawada.                     | 1-10-1978 to 30-9-1979 |
| 4.      | Machine Shop-cum-Tool Room attached to Small Industries Services Institute, Calcutta. | 1-10-1978 to 30-9-1979 |

| 1  | 2  | 3                      |
|----|--|------------------------|
| 5. | Small Industries Service Institute, Extension Centre, Coimbatore.    | 1-10-1978 to 30-9-1979 |
| 6. | Small Industries Service Institute, Extension Centre, Madurai.       | 1-10-1978 to 30-9-1979 |
| 7. | Small Industries Service Institute, Leather Finishing Centre, Erode. | 1-10-1978 to 30-9-1979 |
| 8. | Central Workshop Small Industries Service Unit, Guindy, Madras.      | 1-6-1978 to 30-9-1979  |

[No. S. 38014/12/79-HI]

#### EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemptions in this case, as the request for exemption was received late. However, it is certified that the regular employees of the factories are eligible for exemption. It is also certified that the grant of exemptions with retrospective effect will not affect the interest of anybody adversely.

नई दिल्ली, 18 सितम्बर, 1979

का० आ० 3443 —केन्द्रीय सरकार का समाधान हो गया है कि इसने उपाखण्ड अनुसूची में विनिर्दिष्ट भारत सरकार के कारखानों के कर्मचारियों को, कर्मचारी राज्य बीमा अधिनियम, 1978 (1948 का 34) के अधीन प्रमुविधायी के भारत: समान उपबन्धित प्रमुविधायी अन्यथा मिल रही है:

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 90 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और भारत सरकार के धर्म मंत्रालय की अधिसूचना संख्या का० आ० 2262, दिनांक 21 जुलाई, 1978 के अनुक्रम में, पूर्वोक्त अनुसूची के स्तम्भ 2 में विनिर्दिष्ट कारखानों को 1 अक्टूबर, 1978 से 30-9-1979 तक जिसमें वह तारीख भी सम्मिलित है एक और वर्ष की अवधि के लिए उक्त अधिनियम के प्रवर्तन से छूट देती है।

2. पूर्वोक्त छूट की शर्तें निम्नलिखित हैं, अर्थात्:—

(1) उक्त कारखाने का नियोजक, उस अवधि की बाबत जिसके दौरान उक्त कारखाने पर उक्त अधिनियम प्रवर्तमान था (जिसे इसमें इसके पश्चात् "उक्त अवधि" कहा गया है), ऐसी विवरणियाँ, ऐसे प्रत्येक में और ऐसी विनिर्दिष्टों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) अधिनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देती थी:

(2) निगम द्वारा उक्त अधिनियम की धारा 45 की उपधारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक, या निगम का इस विमिल प्राधिकृत कोई अन्य पदधारी:—

(1) धारा 44 की उपधारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरणों की विनिर्दिष्टों को सत्यापित करने के प्रयोजनार्थ ; या

(2) यह अधिनियमित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) अधिनियम 1950 द्वारा यथा-अपेक्षित रजिस्टर और अभिलेख उक्त अवधि के लिए रखे गए थे या नहीं: या



(3) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी, नियोजक द्वारा बिना गए उन फायदों को, जिनके प्रतिकूल स्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नुक़द में और वस्तु रूप में पाने का हक़दार बना हुआ है या नहीं, या

(4) यह अभिनिश्चित करने के प्रयोजनार्थ कि उम्र अघाध के दौरान, जब उक्त कारख़ाने के सबध में अधिनिश्चय के उपबन्ध प्रवृत्त थे, ऐसे किन्हीं उपबन्धों का अनुपालन किया गया था या नहीं,

निम्नालिखित कार्य करने के लिए सशक्त होगा --

(क) प्रधान या अध्यक्षित नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है,

(ख) ऐसे प्रधान या अध्यक्षित नियोजक के अधिभोगाधीन किसी कारख़ाने, स्थापन, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभारी से अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के सदाय से संबंधित ऐसे लेखा, बहियां और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करे और उनकी परीक्षा करने है, या उन्हें ऐसी जानकारी दे जिसे आवश्यक समझते हैं, या

(ग) प्रधान या अध्यक्षित नियोजक की, उसके अधिकर्ता या सेवक की, या ऐसे किसी व्यक्ति की जो ऐसे कारख़ाने, स्थापन, कार्यालय या अन्य परिसर में पाया जाए, या ऐसे किसी व्यक्ति की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विश्वास करने का पुष्टियुक्त कारण है कि वह कर्मचारी है, परीक्षा करना, या

(घ) ऐसे कारख़ाने, स्थापन, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखाबही या अन्य दस्तावेज को नक़ल तैयार करना या उससे उद्धरण लेना ।

#### अनुसूची

| क्रमांक | कारख़ाने का नाम   | संबद्ध मंत्रालय/विभाग                                       |
|---------|---|---|
| 1       | 2   | 3   |
| 1       | मास मेलिंग प्रेस, मास मेलिंग यूनिट, मयूरा रोड, नई दिल्ली ।                  | स्वास्थ्य और परिवार कल्याण मंत्रालय (परिवार कल्याण विभाग) । |
| 2       | अखिल भारतीय भौतिक औषधि और पुनर्वास संस्थान, मुम्बई का प्रासथेटिक कारख़ाना । | स्वास्थ्य और परिवार कल्याण मंत्रालय (स्वास्थ्य विभाग) ।     |
| 3       | जल सक्कर्म छावनी बोर्ड भन्वाला ।  | रक्षा मंत्रालय ।  |
| 4       | सरकारी अफ़ीस और ऐलबेलाहड सक्कर्म, गाजीपुर ।                                 | वित्त मंत्रालय (राजस्व विभाग) ।                             |
| 5       | प्राथविक ईंधन काम्प्लैक्स, हैदराबाद ।                                       | परमाणु ऊर्जा विभाग ।  |
| 6       | कलकत्ता, बम्बई और जबलपुर के रूर संचार कारख़ाने ।                            | संचार मंत्रालय (डाक और तार बोर्ड) ।                         |

| 1   | 2  | 3   |
|-----|--|---|
| 7.  | सरकारी तार भन्वार, बम्बई ।   | संचार मंत्रालय (डाक तार बोर्ड) ।                        |
| 8   | डाक और तार मोटर सेवा, कर्मशाला बम्बई ।   | संचार मंत्रालय (डाक और तार बोर्ड) ।                     |
| 9.  | अयस्क हैडलिंग सयंत्र स्थल कारख़ाना पोतपरिवहन और परिवहन मंत्रालय ।  | विशाखापटनम्, पोर्ट ट्रस्ट, विशाखा-पटनम् ।               |
| 10  | मौसम विज्ञान कर्मशाला, पुणे ।  | पवेंटन और सिविल बिमानन मंत्रालय                         |
| 11  | भूगणित और अनुसंधान शाखा कर्म-शाला, भारतीय सर्वेक्षण संस्थान, देहरादून ।                                    | विज्ञान और शिल्प विज्ञान विभाग ।                        |
| 12. | भारतीय सर्वेक्षण संस्थान के अधीन विज्ञान और शिल्प विज्ञान विभाग ।  | सर्वेक्षण निदेशालय (ए आई आर ) मुद्रण प्रेस, नई दिल्ली । |
| 13  | भारतीय सर्वेक्षण संस्थान, हैदराबाद के पाईलट मानचित्र उत्पादन सयंत्र के संख्या 104 (हैदराबाद) मुद्रण समूह । | विज्ञान और शिल्प विज्ञान विभाग ।                        |
| 14  | भारत सरकार मुद्रणालय, कोयम्बतूर ।  | निर्माण और आवास मंत्रालय ।                              |
| 15  | भारत सरकार मुद्रणालय, कोरट्टी ।  | निर्माण और आवास मंत्रालय ।                              |
| 16  | लघु उद्योग सेवा संस्थान, इंडस्ट्रियल एस्टेट, प्रोखला, दिल्ली ।   | उद्योग मंत्रालय ।                                       |

[संख्या एस-38014/8/78-एच० आई०]

#### व्याख्यात्मक भाषण

इस मामले में पूर्वपिकी प्रभाव से छूट देनी आवश्यक हो गई हैं, क्योंकि छूट के लिए प्रार्थना-पत्रों पर कार्रवाई करने में समय लगा । तथापि, यह प्रमाणित किया जाता है कि कारख़ाने छूट के पात्र हैं । यह भी प्रमाणित किया जाता है कि पूर्वपिकी प्रभाव से छूट देने से किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा ।

New Delhi, the 18th September, 1979

**S.O.3443.**—Whereas the Central Government is satisfied that the employees of the factories, specified in the Schedule annexed hereto, belonging to the Government of India are otherwise in receipt of benefits substantially similar to the benefits provided under the Employees' State Insurance Act, 1948 (34 of 1948) ;

Now, Therefore, in exercise of the powers conferred by section 90 of the said Act and in continuation of the notification of the Government of India in the Ministry of Labour No S O. 2262, dated the 21st July, 1978, the Central Government hereby exempts the factories specified in column 2 of the Schedule aforesaid, from the operation of the said Act for a further period of one year with effect from the 1st October, 1978 upto and inclusive of 30th September, 1979.

2 The above exemption is subject to the following conditions, namely.—

(1) The employer of the said factory shall submit in respect of the period during which that factory was subject to the

operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulation, 1950;

(2) Any Inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act, or other official of the Corporation authorised in this behalf shall, for the said period; or

(i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period; or

(ii) ascertaining whether registers and records were maintained as required by the Employee's State Insurance (General) Regulations, 1950 for the said period; or

(iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or

(iv) ascertaining whether any of the provisions of the Act has been complied with during the period when such provisions were in force in relation to the said factory;

be empowered to—

- (a) require the principal or immediate employer to furnish to him such information as he may consider necessary; or
- (b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found incharge thereof to produce to such Inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary; or
- (c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises, or any person whom the said Inspector or other official has reasonable cause to believe to have been an employees; or
- (d) make copies of or take extracts from, any register, account book or other document maintained in such factory, establishment office or other premises.

#### SCHEDULE

| Sl. No. | Name of the factory  | Ministry/Department concerned  |
|---------|--|--|
| 1       | 2  | 3  |
| 1.      | Mass Mailing Press, Mass Mailing Unit, Mathura Road, New Delhi.                                  | Ministry of Health and Family Welfare (Department of Family Welfare) |
| 2.      | Prosthetic Workshops of the All India Institute of Physical Medicine and Rehabilitation, Bombay. | Ministry of Health and Family Welfare (Department of Health).        |

| 1   | 2   | 3  |
|-----|---|--|
| 3.  | Water Works Cantonment Board, Ambala.   | Ministry of Defence.                                     |
| 4.  | Government Opium and Alkaloid, Works Ghazipur.  | Ministry of Finance (Department of Revenue).             |
| 5.  | Nuclear Fuel Complex, Hyderabad.  | Department of Atomic Energy.                             |
| 6.  | Telecommunication Factories at Calcutta, Bombay and Jabalpur.                         | Ministry of Communications (Posts and Telegraph Boards). |
| 7.  | Government Telegraph Stores, Bombay.  | Ministry of Communications (Posts and Telegraph Boards). |
| 8.  | Posts and Telegraphs Motor Service Workshops, Bombay.                                 | Ministry of Communications (Posts and Telegraph Boards). |
| 9.  | Ore Handling Plant Site Workshop, Visakhapatnam, Port Trust, Visakhapatnam.           | Ministry of Shipping and Transport.                      |
| 10. | Meteorological Workshop, Poona.   | Ministry of Tourism and Civil Aviation.                  |
| 11. | Geodetic and Research Branch Workshop, Survey of India, Dehradun.                     | Department of Science and Technology.                    |
| 12. | Directorate of Survey (AIR) Printing Press, New Delhi—under survey of India.          | Department of Science and Technology.                    |
| 13. | No. 104 (4BD) Printing Group, Pilot Map Production Plant, Survey of India, Hyderabad. | Department of Science and Technology.                    |
| 14. | Government of India Press, Coimbatore.  | Ministry of Works and Housing.                           |
| 15. | Government of India, Press, Koratty.  | Ministry of Works and Housing.                           |
| 16. | Small Industries Service Institute, Industrial Estate, Okhla, Delhi.                  | Ministry of Industry.                                    |

[No. S—38014/8/78/HI]

#### EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case, as the processing of the applications for exemption took time. However, it is certified that the factories are eligible for exemption. It is also certified that grant of exemption with retrospective effect will not affect the interest of anybody adversely.

का० प्रा० 3444.—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 88 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का० प्रा० 919, तारीख 18 मार्च, 1978 के अनुक्रम में वैज्ञानिक और औद्योगिक अनुसंधान परिषद्, नई दिल्ली की (1) राष्ट्रीय वैज्ञानिक प्रयोगशाला, बंगलूर, (2) प्रादेशिक अनुसंधान प्रयोगशाला, हैदराबाद, (3) केन्द्रीय खाद्य प्रौद्योगिक अनुसंधान, संस्थान, मैसूर और (4) केन्द्रीय औषध अनुसंधान संस्थान, लखनऊ के स्थायी और अस्थायी कर्मचारियों को उक्त अधिनियम के प्रवर्तन से 1 जुलाई, 1978 से 30 जून, 1979 तक, जिसमें यह दिन भी सम्मिलित है, एक वर्ष की और अवधि के लिए छूट देती है।

2. पूर्वोक्त छूट की शर्तें निम्नलिखित हैं, अर्थात् :—

- (1) पूर्वोक्त कारखाना, जिसमें कर्मचारी नियोजित है, एक रजिस्टर रखेगा जिसमें छूट प्राप्त कर्मचारियों के नाम और पदाभिधान दिखाये जाएंगे ;
- (2) इस छूट के होने हुए भी कर्मचारी उक्त अधिनियम के अधीन ऐसी प्रसुविधाएं प्राप्त करते रहेंगे जिनको पाने के लिए वे इस अधिसूचना द्वारा दी गई छूट के प्रवृत्त होने की तारीख से पूर्व संवत्त अभिधायों के आधार पर हकदार हो जाते ;
- (3) छूट प्राप्त अवधि के लिए यदि कोई अभिधाय पहले ही किए जा चुके हों तो वे वापिस नहीं किये जाएंगे ;
- (4) उक्त कारखाने का नियोजक उस अवधि की बाबत जिसके दौरान उस कारखाने पर उक्त अधिनियम प्रवर्तमान था (जिसे इसमें इसके पश्चात् "उक्त अवधि" कहा गया है), ऐसी विवरणियां ऐसे प्रारूप में और ऐसी विशिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम 1950 के अधीन उसे उक्त अवधि की बाबत देती थी ;
- (5) निगम द्वारा उक्त अधिनियम की धारा 45 की उप-धारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक, या निगम का इस निमित्त प्राधिकृत कोई अन्य पदधारी :—
  - (1) धारा 44 की उपधारा (i) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरणी की विशिष्टियों को मर्यापित करने के प्रयोजनार्थ : या
  - (2) यह अभिनियमित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथाप्रेक्षित रजिस्टर और अभिलेख उक्त अवधि के लिए रखे गए थे या नहीं ; या
  - (3) यह अभिनियमित करने के प्रयोजनार्थ कि कर्मचारी, नियोजक द्वारा दिए गए उन फायदों को, जिसके प्रतिफल स्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नकद में और वस्तु रूप में पाने का हकदार बना हुआ है या नहीं : या
  - (4) यह अभिनियमित करने के प्रयोजनार्थ कि उस अवधि के दौरान, जब उक्त कारखाने के संबंध में अधिनियम के उपबंध प्रवृत्त थे, ऐसे कितनी उपबंधों का अनुपालन किया गया था या नहीं ;

निम्नलिखित कार्य करने के लिए सशक्त होगा :—

- (क) प्रधान या अन्यव्यक्ति नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है।
- (ख) ऐसे प्रधान या अन्यव्यक्ति नियोजक के अधिभोगाधीन किसी कारखाने स्थापन, कार्यालय या अन्य परिसर में किसी भी

उचित समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संशय से संबंधित ऐसे लेखा, बहिया और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करे और उनकी परीक्षा करने दे, या उन्हें ऐसी जानकारी दे जिसे वे आवश्यक समझते हैं : या

- (ग) प्रधान या अन्यव्यक्ति नियोजक की, उसके अधिकर्ता या सेवक की, या ऐसे किसी व्यक्ति की या ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में पाया जाए, या ऐसे किसी व्यक्ति की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विश्वास करने का युक्तियुक्त कारण है कि वह कर्मचारी है, परीक्षा करना ; या
- (घ) ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखाबही या अन्य दस्तावेज की नकल तैयार करना या उससे उद्धरण लेना।

[संख्या एस०-38014/37/78-एच० आई०]

#### व्याख्यात्मक भाषण

इस मामले में पूर्वापेक्षी प्रभाव से छूट देनी आवश्यक हो गई है, क्योंकि छूट के नवीकरण के लिए प्राप्त आवेदन-पत्र की कार्रवाई पर समय लगा। तथापि यह प्रमाणित किया जाता है कि जिन परिस्थितियों में आरंभ में छूट दी गई थी वे अभी भी विद्यमान हैं और कर्मचारी छूट के पात्र हैं। यह भी प्रमाणित किया जाता है कि पूर्वापेक्षी प्रभाव से छूट देने से किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

S.O. 3444.—In exercise of the powers conferred by section 88 of the Employees' State Insurance Act, 1948 (34 of 1948) and in continuation of the notification of the Government of India in the Ministry of Labour No. S.O. 919 dated the 18th March, 1978 the Central Government hereby exempts the permanent and temporary employees of (1) National Aeronautical Laboratory, Bangalore (2) Regional Research Laboratory, Hyderabad (3) Central Food Technological Research Institute, Mysore and (4) Central Drug Research Institute, Lucknow belonging to the Council of Scientific and Industrial Research, New Delhi from the operation of the said Act for a further period of one year with effect from the 1st July, 1978 upto and inclusive of 30th June, 1979.

2. The above exemption is subject to the following conditions, namely—

- (1) The aforesaid factory wherein the employees are employed shall maintain a register showing the names and designations of the exempted employees ;
- (2) Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates ;
- (3) The contributions for the exempted period, if already paid, shall not be refunded ;
- (4) The employer of the said factory shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950 ;
- (5) Any Inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act, or other Official of the Corporation authorised in this behalf shall, for the purpose of—
  - (i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period ; or

- (ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period ; or
- (iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification ; or
- (iv) ascertaining whether any of the provisions of the Act had been complied with during the period when such provisions were in force in relation to the said factory.

be empowered to—

- (a) require the principal or immediate employer to furnish to him such information as he may consider necessary ; or
- (b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found incharge thereof to produce to such Inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons, and payment of wages or to furnish to him such information as he may consider necessary ; or
- (c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises, or any person whom the said Inspector or other official reasonable cause to believe to have been an employee ; or
- (d) make copies of or take extracts from, any register, account book or other document maintained in such factory, establishment, office or other premises.

[No. S-38014/37/78-II]

### EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case, as the processing of the application for exemption took time. However, it is certified that the conditions under which the exemption was originally granted still persist and the employees are eligible for exemption. It is also certified that the grant of exemption with retrospective effect will not affect the interest of anybody adversely.

क्र० आ० 3445.—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91क के माफ पठित धारा 88 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, (1) केन्द्रीय खाद्य प्रौद्योगिकी प्रमुख संस्थान, ईसूर, (2) राष्ट्रीय वैमानिकी प्रयोगशाला, बंगलूर, (3) विश्वेश्वरय्या प्रौद्योगिकी और प्रौद्योगिकी संग्रहालय, बंगलूर और (4) क्षेत्रीय अनुसंधान प्रयोगशाला, हैदराबाद के स्थायी और अस्थायी कर्मचारियों को तारीख 11 जून, 1968 से 16 नवम्बर 1973 तक की जिसमें यह तारीख भी सम्मिलित है, अवधि के लिए, उक्त अधिनियम के प्रवर्तन से छूट देती है।

2. पूर्वोक्त छूट निम्नलिखित शर्तों के अधीन है, अर्थात् —

- (1) पूर्वोक्त कारखाने, जिसमें कर्मचारी नियोजित हैं, एक रजिस्टर रखेगा, जिसमें छूट प्राप्त कर्मचारियों के नाम और पदाभिधान दिखाये जाएंगे ;
- (2) इस छूट के होते हुए भी, कर्मचारी उक्त अधिनियम के अधीन ऐसी प्रसुविधाएं प्राप्त करने रहेंगे, जिसको पाने के लिए वे इस अधिसूचना द्वारा दी गई छूट के प्रवृत्त होने की तारीख से पूर्व संवत्त अभिदाओं के आधार पर हकदार हो जाते ;
- (3) छूट प्राप्त अवधि के लिए यदि कोई अभिदाय पहले भी किए जा चुके हों तो वे वापिस नहीं किये जाएंगे ;

- (4) उक्त कारखाने का नियोजक, उन अवधि की बाबत जिसके दौरान वह कारखाना उक्त अधिनियम के प्रवर्तन के अधीन था (जिसे हमने इसके पश्चात् "उक्त अवधि" कहा गया है),

ऐसी विवरणियां ऐसे प्ररूप में और ऐसी विनिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी थी ;

- (5) निगम द्वारा उक्त अधिनियम की धारा 45 की उप-धारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक, या निगम का इस निमित्त प्राधिकृत कोई अन्य पदधारी :—

- (1) धारा 44 की उपधारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरणी की विनिष्टियों को सत्यापित करने के प्रयोजनार्थ : या

- (2) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथाप्रयोजित रजिस्टर और अभिलेख उक्त अवधि के लिए रखे गए थे या नहीं, या

- (3) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी, नियोजक द्वारा दिए गए उन फायदों को, जिसके प्रतिफल स्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, सकल में और वस्तु रूप में पाने का हकदार बना हुआ है या नहीं ; या

- (4) यह अभिनिश्चित करने के प्रयोजनार्थ कि उक्त अवधि के दौरान, जब उक्त कारखाने के संबंध में अधिनियम के उपबंध प्रवृत्त थे, ऐसे किसी उपबंधों का अनुपालन किया गया था या नहीं ;

निम्नलिखित कार्य करने के लिए सशक्त होगा :—

- (क) प्रधान या अव्यवहृत नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है ;

- (ख) ऐसे प्रधान या अव्यवहृत नियोजक के अधिभोगाधीन किसी कारखाने, स्थापन, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के सदाय से संबंधित ऐसे लेखा, बहिया और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करे और उनकी परीक्षा करने दे, या उन्हें ऐसी जानकारी दे जिस से आवश्यक समझते हैं ; या

- (ग) प्रधान या अव्यवहृत नियोजक की, उसके अधिकर्ता या मेवक की, या ऐसे किसी व्यक्ति की जो ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में पाया जाय, या ऐसे किसी व्यक्ति की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विश्वास करने का युक्तियुक्त कारण है कि वह कर्मचारी है, परीक्षा करना ; या

- (घ) ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखावही या अन्य दस्तावेज की नकल तैयार करना या उससे उद्धरण लेना।

[संख्या एम०-38014/12/76-एच० आर०]

### व्याख्यात्मक भाषण

इस मामले में पूर्वोक्ती प्रभाव से छूट देनी आवश्यक हो गई है, क्योंकि छूट के लिए आवेदन-पत्र देर से प्राप्त हुआ था। तथापि, यह प्रमाणित किया जाता है कि कर्मचारी छूट के पात्र हैं। यह भी प्रमाणित किया जाता है कि पूर्वोक्ती प्रभाव से छूट देने से किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

**S.O. 3445.**—In exercise of the powers conferred by section 88 read with section 91A of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby exempts the permanent and temporary employees of (1) Central Food Technological Research Institute, Mysore, (2) National Aeronautical Laboratory, Bangalore, (3) Visvesvaraya Industrial and Technological Museum, Bangalore and (4) Regional Research Laboratory, Hyderabad, from the operation of the said Act for the period from the 11th June, 1968 upto and inclusive of the 16th November, 1973.

2. The above exemption is subject to the following conditions, namely :—

- (1) The aforesaid factory wherein the employees are employed shall maintain a register showing the names and designations of the exempted employees;
- (2) Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates;
- (3) The contributions for the exempted period, if already paid, shall not be refunded;
- (4) The employer of the said factory shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950,
- (5) Any Inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act, or other Official of the Corporation authorised in this behalf shall, for the purposes of—
  - (i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period; or
  - (ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or
  - (iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or
  - (iv) ascertaining whether any of the provisions of the Act had been complied with during the period when such provisions were in force in relation to the said factory,

be empowered to—

- (a) require the principal or immediate employer to furnish to him such information as he may consider necessary; or
- (b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found incharge thereof to produce to such Inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary; or
- (c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises, or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee; or
- (d) make copies of or take extracts from any register, account book or other document maintained in such factory, establishment, office or other premises

[No. S-38014/12/76]

#### EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption, as the application for grant of exemption was

received late. However, it is certified that the employees were eligible for exemption. It is also certified that the grant of exemption with retrospective effect will not affect the interest of anybody adversely.

**का० भा० 3446.**—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 87 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का० भा० 1318 तारीख 20 अप्रैल, 1978 के अनुक्रम में वैश्वविक और औद्योगिक अनुसंधान परिषद् नई दिल्ली की (1) राष्ट्रीय रासायनिक प्रयोगशाला, पूना और (2) राष्ट्रीय भौतिक प्रयोगशाला, नई दिल्ली को उक्त अधिनियम के प्रवर्तन से 1 जुलाई, 1978 से 30 जून, 1979 तक, जिसमें यह दिन भी सम्मिलित है, एक वर्ष की और अवधि के लिए छूट देती है।

2. पूर्वोक्त छूट की शर्तें निम्नलिखित हैं, अर्थात् :—

(1) उक्त कारखाने का नियोजक, उस अवधि की बाबत जिसके दौरान उस कारखाने पर उक्त अधिनियम प्रवर्तमान था (जिसे इसमें इसके पश्चात् 'उक्त अवधि' कहा गया है) ऐसे विवरणियाँ, ऐसे प्रत्येक में और ऐसे विशिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी थी ;

(2) निगम द्वारा उक्त अधिनियम की धारा 45 की उपधारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक, या निगम का इस निमित्त प्राधिकृत कोई अन्य पदधारी—

- (i) धारा 44 की उपधारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरणों की विशिष्टियों को सत्यापित करने के प्रयोजनार्थ ; या
- (ii) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथा अपेक्षित रजिस्टर और अभिलेख का, उक्त अवधि के लिए रखा गए थे या नहीं, या
- (iii) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी, नियोजक द्वारा लिए गए उन फायदों को, जिसके प्रतिफलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नकद में और वस्तु रूप में पाने का हकदार बना हुआ है या नहीं ; या
- (iv) यह अभिनिश्चित करने के प्रयोजनार्थ कि उस अवधि के दौरान, जब उक्त कारखाने के सम्बन्ध में अधिनियम के उपबन्ध प्रवृत्त थे, ऐसे किन्हीं उपबन्धों का अनुपालन किया गया था या नहीं ;

निम्नलिखित कार्य करने के लिए सशक्त होगा :—

- (क) प्रधान या अव्यवहित नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है ; या
- (ख) ऐसे प्रधान या अव्यवहित नियोजक के अधिभोगाधीन किसी कारखाने, स्थापन, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के सन्दर्भ से संबंधित ऐसे लेखा बहिया और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी परीक्षा करने दें, या उन्हें ऐसी जानकारी दे जिसे वे आवश्यक समझते हैं ; या
- (ग) प्रधान या अव्यवहित नियोजक की, उसके अधिकर्ता या सेवक की, या ऐसे किसी व्यक्ति की जो ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में पाया जाए, या ऐसे किसी व्यक्ति की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विश्वास करने का युक्तियुक्त कारण है कि वह कर्मचारी है, परीक्षा करना ; या
- (घ) ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखावही या अन्य दस्तावेज की नकल तैयार करना या उससे पद्धरण लेना।

[संख्या एस०-38014/87/78-एच० आई०]

## व्याख्यात्मक ज्ञापन

इस मामले में पूर्वपिछी प्रभाव से छूट देनी आवश्यक हो गई है क्योंकि छूट के तहत के लिए प्राप्त आवेदन-पत्र का कार्रवाई पर समय लगा। तथापि यह प्रमाणित किया जाता है कि जिन परिस्थितियों में ग्राम्स में छूट दी गई थी वे अभी भी विद्यमान हैं और कर्मचारी छूट के पात्र हैं। यह भी प्रमाणित किया जाता है कि पूर्वपिछी प्रभाव से छूट से किर्मा के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

**S.O. 3446.**—In exercise of the powers conferred by section 87 of the Employees' State Insurance Act, 1948 (34 of 1948) and in continuation of the notification of the Government of India in the Ministry of Labour No. S. O. 1318 dated the 20th April, 1978, the Central Government hereby exempts the (1) National Chemical Laboratory, Poona and (2) National Physical Laboratory, New Delhi belonging to the Council of Scientific and Industrial Research New Delhi from the operation of the said Act for a further period of one year with effect from the 1st July, 1978 upto and inclusive of 30th June, 1979.

2. The above exemption is subject to the following conditions, namely :—

- (1) The employer of the said factory shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;
- (2) Any Inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act, or other Official of the Corporation authorised in this behalf shall, for the purposes of—
  - (i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period, or
  - (ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or
  - (iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; and
  - (iv) ascertaining whether any of the provisions of the Act has been complied with during the period when such provisions were in force in relation to the said factory.

be empowered to—

- (a) require the principal or immediate employer to furnish to him such information as he may consider necessary; or
- (b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in charge thereof to produce to such Inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary; or
- (c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises, or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee; or

(d) make copies of or take extracts from, any register, account book or other document maintained in such factory, establishment, office or other premises.

[No. S-38014/37/78-HI]

## EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case, as the processing of the application for exemption took time. However, it is certified that the conditions under which the exemption was originally granted still persist and the employees are eligible for exemption. It is also certified that the grant of exemption with retrospective effect will not affect the interest of any body adversely.

नई दिल्ली, 21 सितम्बर, 1979

क्र० प्र० 3447.—मैसर्स इण्डस्ट्रियल एण्ड एलाइड सेल्स प्राइवेट लिमिटेड, कम्प्यूटर गांधी मार्ग, नई दिल्ली (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (1) के खण्ड (क) के अधीन छूट दिए जाने के लिए आवेदन किया है ;

और केन्द्रीय सरकार की राय में अभिधाय की दलों की बाबत उक्त स्थापन के भविष्य निधि नियम उसके कर्मचारियों के लिए उन नियमों से कम अनुकूल नहीं हैं जो उक्त अधिनियम की धारा 6 में विनिर्दिष्ट हैं और कर्मचारी भविष्य निधि की अन्य प्रसुविधाओं भी पा रहे हैं जो कर्मचारियों के लिए कुल मिलाकर उन प्रसुविधाओं से कम अनुकूल नहीं हैं, जो उसी प्रकार के किसी अन्य स्थापन के कर्मचारियों के सम्बन्ध में उक्त अधिनियम के अधीन या कर्मचारी भविष्य निधि स्कीम, 1952 (जिसे इसमें आगे उक्त स्कीम कहा गया है) के अधीन दी जाती है ;

अतः अब, उक्त अधिनियम की धारा 17 की उपधारा (1) के खण्ड (क) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए और इसमें उपायय अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, केन्द्रीय सरकार उक्त स्थापन को उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

## अनुसूची

1 उक्त स्थापन से सम्बद्ध नियोजक :—

- (1) प्रत्येक मास की समाप्ति से 15 दिन के भीतर निरीक्षणार्थ ऐसी सुविधाओं के लिए उपबन्ध करेगा और ऐसे निरीक्षण प्रभार होगा जो केन्द्रीय सरकार, समय-समय पर, उक्त अधिनियम की धारा 17 की उपधारा (3) के खण्ड (क) के अधीन निवेश करे ;
- (2) भविष्य निधि में किए गए अभिधायों के विनिधान के सम्बन्ध में उक्त अधिनियम की धारा 17 की उपधारा (3) के खण्ड (क) के अधीन केन्द्रीय सरकार द्वारा समय-समय पर जारी किए गए निदेशों का पालन करेगा ;
- (3) इस बाबत सम्यक साधनानी बरतेगा कि उक्त स्थापन के संबंध में गठित न्यासी बोर्ड, भविष्य निधि में किए गए अभिधायों का विनिधान केन्द्रीय सरकार द्वारा समय-समय पर जारी किए गए निदेशों के अनुसार करे और उक्त न्यासी बोर्ड द्वारा भविष्य निधि में किए गए अभिधायों के ऐसे विनिधान के लिए जिम्मेदार होगा ;
- (4) केन्द्रीय भविष्य निधि आयुक्त, दिल्ली को ऐसी विवरणियां प्रस्तुत करेगा जैसी केन्द्रीय सरकार समय-समय पर निदेश करे ;
- (5) प्रत्येक कर्मचारी को वार्षिक लेखा विवरण या एक पास बुक देगा ;

(6) भविष्य निधि के प्रशासन में, जिसके प्रयोग के लिए रखना, लेखा बहियां और विवरणियां पेश करना, संचित निधि का अंतरण करना और निरीक्षण प्रभारों संदाय करना भी है, हुए सभी व्ययों को वहन करेगा ;

(7) प्रत्येक सदस्य के लेखा में प्रतिवर्ष ऐसी दूनों पर व्याज जमा करेगा जैसी न्यासी बोर्ड अवधारित करे और ऐसी दर केन्द्रीय सरकार द्वारा समय-समय पर अवधारित की गई दर से कम नहीं होगी ;

(8) उक्त स्थापन के सूचना बोर्ड पर केन्द्रीय ठागा यथा अनुमोदित भविष्य निधि नियम और समय-समय पर उसमें किए गए संशोधनों की एक प्रति तथा उनकी प्रमुख बातों का अनुवाद भी बहुसंख्यक कर्मचारियों की भाषा में संप्रदर्शित करेगा ;

(9) यदि स्थापनों के किसी ऐसे वर्ग के लिए, जिसमें उक्त स्थापन आता है, उक्त अधिनियम के अधीन भविष्य निधि में अभिदाय की दर बढ़ा दी जाती है तो वह भविष्य निधि में अभिदाय की दर में अपनी ही वृद्धि कर देगा जिससे कि उक्त स्थापन की भविष्य निधि स्कीम के अधीन फायदा उतने से कम हो जाए जितना उक्त अधिनियम के अधीन उपबन्धित है ;

(10) प्रतिवर्ष क्षेत्रीय भविष्य निधि आयुक्त, दिल्ली को अपनी भविष्य निधि का एक लेखा-परिक्षित तुलनपत्र वर्ष की समाप्ति से तीन मास के भीतर प्रस्तुत करेगा ।

2. यदि ऐसे किसी कर्मचारी को, जो उक्त अधिनियम के अधी कर्मचारी भविष्य निधि या उक्त स्कीम (कानूनी निधि) या किसी अन्य छूट प्राप्त स्थापन की भविष्य निधि के अधीन कर्मचारी भविष्य निधि का पहले से ही सदस्य है, स्थापन में नियोजित किया जाता है तो जिनकाजक उसे उक्त स्थापन की भविष्य निधि का तुरन्त सदस्य बना लेगा और ऐसे कर्मचारी की बाकल पिछले संवर्षों की स्वीकार करेगा और उन्हें उसके खाते में जमा करेगा ।

3. उक्त स्थापन की भविष्य निधि नियमों में कोई भी संशोधन क्षेत्रीय भविष्य निधि आयुक्त, दिल्ली के पूर्व अनुमोदन के बिना नहीं किया जाएगा और यदि किसी संशोधन से उक्त स्थापन के किसी कर्मचारी के हित पर प्रतिकूल प्रभाव पड़ने की संभावना है तो क्षेत्रीय भविष्य निधि आयुक्त, दिल्ली अपना अनुमोदन देने से पूर्व, कर्मचारियों को अपना दृष्टिकोण प्रकट करने का उचित अवसर देगा ।

[सं० एस०-35014/59/79-पी० एफ०-2]

हंस राज छाबड़ा, उप सचिव

New Delhi, the 21st September, 1979

**S.O. 3447.**—Whereas Messrs Industrial & Allied Sales Private Limited, 19, Kasturba Gandhi Marg, New Delhi (hereinafter referred to as the said establishment) has applied for exemption under clause (a) of sub-section (1) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) hereinafter referred to as the said Act;

And whereas in the opinion of the Central Government, the rules of the provident fund of the said establishment with respect to the rates of contribution are not less favourable than those specified in section 6 of the said Act, and the employees are also in enjoyment of other provident fund benefits which on the whole are not less favourable to the employees than the benefits provided under the said Act or under the Employees' Provident Funds Scheme, 1952 (hereinafter referred to as the said Scheme) in relation to the employees in any other establishment of a similar character;

Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (1) of section 17 of the said Act, and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme.

## SCHEDULE

1. The employer in relation to the said establishment :—

(i) shall provide for such facilities for inspection and pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3) of section 17 of the said Act 15 days from the close of every month,

(ii) shall comply with the directions issued by the Central Government, from time to time, under clause (a) of sub-section (3) of section 17 of the said Act in regard to the investment of contributions to the provident fund,

(iii) shall take due care to see that the Board of Trustees constituted in respect of the said establishment invest the contributions to the provident fund in accordance with the directions issued by the Central Government, from time to time, and shall be responsible for such investment of the contributions to the provident fund by the said Board of Trustees;

(iv) shall submit such returns to the Regional Provident Fund Commissioner, Delhi as the Central Government may, from time to time, direct;

(v) shall furnish to each employee an annual statement of account or a Pass Book;

(vi) shall bear all expenses involved in the administration of the provident fund including the maintenance of accounts, submission of accounts and returns, transfer of accumulations and payments of inspection charges;

(vii) shall credit, every year to the account of each member interest at such rates as may be determined by the Board of Trustees and such rate shall not be less than the one determined by the Central Government from time to time;

(viii) shall display on the notice board of the said establishment a copy of the rules of the provident fund as approved by the Central Government and, as and when amended, the amendments thereto, along with a translation of the salient points thereof in the language of the majority of the employees;

(ix) shall enhance the rate of contributions to the provident fund appropriately if such rate for the class of establishments in which his establishment falls is enhanced under the said Act so that the benefits under the provident fund scheme of the said establishment shall not become less favourable than the benefit provided under the said Act;

(x) shall submit an audited balance sheet of its provident fund every year to the Regional Provident Fund Commissioner, Delhi within three months of the close of the year.

2. Where an employee who is already a member of the Employees' Provident Fund under the said Act or the said Scheme (Statutory Fund) or the provident fund of another exempted establishment is employed in establishment the employer shall immediately enrol him as a member of the provident fund of the said establishment, and accept the past accumulations in respect of such employee and credit the same to his account.

3. No amendment of the rules of the provident fund of the said establishment shall be made without the previous approval of the Regional Provident Fund Commissioner, Delhi and where any amendment is likely to affect adversely the interests of the employees of the said establishment, the Regional Provident Fund Commissioner, Delhi shall, before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

[No. S. 35014/59/79-PF. II]  
HANS RAJ CHHABRA, Dy. Secy.

New Delhi, the 30th August, 1979

**S.O. 3448.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi in the industrial dispute between the employers in relation to the management of Punjab National Bank, Bikaner and their workman over denying the benefit of temporary service from 18-10-1971 to 30-4-1973 towards permanent service of Shri G. P. Khatri, clerk Bikaner Branch of the Bank, which was received by the Central Government on 8-8-1979.

BEFORE SHRI MAHESH CHANDRA, PRESIDING  
OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-  
CUM-LABOUR COURT, NEW DELHI

I.D. No. 104 of 1978

In re :

The General Secretary, Rajasthan Bank Employees  
Union C/o Punjab National Bank Jodhpur  
(Rajasthan)—Petitioner.

Versus

The Regional Manager, Punjab National Bank, 106  
Bapu Nagar, University Marg, Jaipur.

PRESENT :

Shri R. L. Khandelwal,—for the Union.  
Shri K. K. Gupta,—for the management.

#### AWARD

The Central Government as appropriate Govt. vide its Order No. 1-12012/74/77-D. II. A dated the 21st/24th November, 1978 made a reference to this Tribunal u/s 10 of the I.D. Act, 1947;

Whether the action of the management of Punjab National Bank, Bikaner in denying the benefit of temporary service from 18-10-71 to 30-4-73 towards permanent service of Shri G. P. Khatri, Clerk Bikaner Branch of the Bank to which he was appointed on 16-5-73 is legal and justified? If not, to what relief is the workman entitled?

2. On receipt of the reference usual notices were sent to the parties and a statement of claim was filed on behalf of the workman. Thereafter a written statement was also filed. Before any replication could be filed in the case, the Bank Management filed an application before me in which it is stated by the Bank that the parties have arrived at settlement and a no dispute award be made in the case. It was ordered to be recorded in so far as it was beneficial for the workman. The statement of Shri R. L. Khandelwal and Shri K. K. Gupta, the representative of the Union and the Bank Management respectively was recorded in which it is stated by them that 'parties have arrived at a settlement Ex. S/1. An award be passed in terms of Ex. S/1.'

3. In view of the statement recorded above, award is hereby made in the reference and parties are left to bear their own costs. Parties would be bound by terms of Settlement S/1.

Dated : the 30th July, 1979

8th Sravana, 1901.

Sd/-

MAHESH CHANDRA, Presiding Officer  
Central Govt. Industrial Tribunal,  
New Delhi

[No. L. 12012/74/77-D. II. A]  
S. K. MUKHERJEE, Under Secy.

Further Awarded :

That requisite number of copies of this award may be sent to the appropriate Govt. for necessary action at their end.

Dated : the 30th July, 1979.

8th Sravana, 1901.

Sa/-

MAHESH CHANDRA, Presiding Officer  
Central Govt. Industrial Tribunal,  
New Delhi

PUNJAB NATIONAL BANK

PERSONNEL DIVISION

HEAD OFFICE

5, PARLIAMENT STREET

New Delhi, the 9th May, 1979

TO ALL OFFICES

PERSONNEL DIVISION CIRCULAR NO. 436

Subject : Settlement regarding grant of benefits arising out of temporary service put in by the existing workmen of the Bank.

We enclose a copy of the Settlement dated 5-5-1979 arrived at between the Punjab National Bank and All India PNB Employees' Federation before the Deputy Chief Labour Commissioner (Central) regarding grant of benefits arising out of temporary service put in by the existing workmen of the Bank.

A copy of the Settlement by displayed at the Notice Board of the office immediately on receipt of this circular and a confirmation to this effect be sent to us in the proforma given below by 21st May, 1979.

Sd/

Chief Personnel

PUNJAB NATIONAL BANK

BRANCH OFFICE/PAY OFFICE/

Department-----

The Chief Personnel,  
Punjab National Bank,  
Head Office,  
5, Parliament Street,  
New Delhi-110001.

Subject : Settlement regarding grant of benefits arising out of temporary service put in by the existing workmen of the Bank.

We acknowledge the receipt of Personnel Division Circular No. 436 dated 9-5-1979 and confirm having displayed a copy of the Settlement dated 5-5-1979 on the Notice Board of the Branch/Office on-----

Dated:-----

Manager/Officer Incharge  
Branch/Office

FORM 'H'

(See Rule 58)

#### MEMORANDUM OF SETTLEMENT

Name of the Parties :—

Representing Employers :

1. Shri K. G. Sapra, Deputy General Manager, (Administration), Punjab National Bank, Head Office, New Delhi.
2. Shri H. C. Jain, Manager, Personnel Division, Punjab National Bank, Head Office, New Delhi.



**Representing Employees :**

1. Shri P. N. Tewari, President, All India PNB Employees' Federation, Post Box 10005, PNB House, Bombay.
2. Shri D. P. Chadha, General Secretary, All India PNB Employees' Federation, Post Box 10005, PNB House, Bombay.

**SHORT RECITAL OF THE CASE**

Whereas the All India Punjab National Bank Employees Federation, vide its letter dated 16th August, 1978, raised a demand over the regularisation of past temporary services of the workmen and consequential benefits arising thereon on the ground that the temporary services were continued for a number of years by creating breaks without payment of retrenchment compensation and that it has been held by the Supreme Court in the case of State Bank of India Vs. Sundra Money 1976 1 LLJ 478 and two other subsequent judgments that such type of termination of service is 'retrenchment' within the meaning of Section 2(oo) of the Industrial Disputes Act and the Federation demanded that the employees are entitled to inclusion of their temporary service into permanent one and all other benefits like fixation of salary, payment of salary for the period of breaks, graded increment, payment of bonus, provident fund contribution, inclusion of service for gratuity purposes etc.

And whereas the Bank has contended as follows :—

(i) That directions on the question of temporary employees have been given in the Sastry Award as modified by LAT and the Desai Award and certain provisions were also made thereto under the terms of the Bipartite Settlement dated 19th October, 1966 applicable to the Banking Industry and that the employment of temporary employees in different categories by the Bank was in accordance with the provisions of the Awards/Bipartite Settlements applicable to the industry.

(ii) That Bipartite Settlement of 1966 also provided for absorption of temporary employees on regular basis in paras 20.9, 20.10 and 20.11 and such of the temporary employees who became eligible for absorption as probationer/confirmed employee in terms thereof were brought on regular basis by the Bank.

(iii) That certain disputes arose on the question of temporary employees in the clerical cadre and these were settled between the Bank and the All India Punjab National Bank Employees Federation by Settlement dated 13th July, 1972 followed by letters between the parties which provided as under :—

- (a) that the institution of employing temporary employees in the clerical cadre shall be discontinued and the Bank shall provide leave reservists to work in stop-gap arrangements.
- (b) That the existing temporary employees shall be given the job test/general recruitment test whereafter they shall be interviewed and those ultimately selected shall be absorbed in permanent service of the Bank.
- (c) That those fail to qualify in the prescribed test or fail in the interview, their services shall stand automatically terminated and they will have no claim to any kind, in any shape or form thereof.

(iv) That certain problems, difficulties and disputes arose relating to temporary employees in the subordinate cadre and the same were settled under a Settlement dated 1-8-1977 arrived at between the Bank and the Federation.

(v) That the present claim as now made by the Federation, if it existed as it did, before the First Bipartite Settlement dated 19-10-1966 must be deemed to have been settled by the 1st Bipartite Settlement and later on by the Settlements dated 13th July, 1972 and 1-8-1977 referred to above.

(vi) That the claim must be deemed to be belated and stale.

(vii) That the claim is not tenable keeping in view the provisions of the Awards/Bipartite settlements applicable to the industry and the Settlements dated 13th July, 1972 and 1-8-1977 arrived at between the Bank and the Federation.

And whereas the Federation raised an Industrial dispute and the Dy. Chief Labour Commissioner (Central), in his capacity as conciliator was requested to intervene and bring about an amicable settlement.

And, therefore, the Dy. Chief Labour Commissioner (Central), New Delhi held discussions with the representatives of both the parties on 28-4-1979 and 5-5-1979. He subsequently held conciliation proceedings in respect of the instant Industrial dispute in his office on 5-5-1979 at 4.50 P.M. in which the representatives of both the parties participated. As a result of his pursuance, the instant industrial dispute has been amicably settled between the parties on the following terms :—

**TERMS OF SETTLEMENT**

No. 1 : It is agreed that the Management of Punjab National Bank (hereinafter referred to as Management) shall allow one additional increment in the respective scales of pay and also pay Dearness Allowance thereon with retrospective effect from April 1, 1978 to only such of their workmen as were appointed on temporary basis but were subsequently appointed either on permanent basis or as probationer on or after January 1, 1966 and had also put in minimum 240 days or more of temporary service for which wages had been paid during any 12 consecutive months prior to their appointment either on permanent basis or as probationer.

No. 2 : The management shall allow two increments in the respective scales of pay and also pay Dearness Allowance thereon with retrospective effect from April 1, 1978 to only such of the workmen as had been appointed on temporary basis but were subsequently appointed either on permanent basis or as probationer on or after January 1, 1966 and had put in minimum 240 days of temporary service during any 12 consecutive months for which wages had been paid and had put in not less than 730 days service for which wages had been paid till their appointment either on permanent basis or as probationer.

No. 3 : It is agreed that computation of 240 days or 730 days or more of temporary service as the case may be, for the purposes of this settlement shall include weekly holidays and public holidays declared under the Negotiable Instruments Act intervening the continuous days of temporary service, as the case may be, irrespective of the fact whether wages for such weekly holidays or public holidays were paid or not. For clarity and removal of doubts if any, following illustration is given :—

If a workman had put in temporary service, say from January 19, 1970 to January 30, 1970 at a stretch, the Sunday and the public holiday, i.e., January 25 and January 26, 1970, respectively falling during that period shall be taken into account for the purpose of computation of temporary service, irrespective of the fact whether concerned workman was paid for those weekly holiday and public holiday or not. However, if the same workman had not worked on temporary basis from January 31, 1970 to February 12, 1970, this period as well as weekly holiday falling in between that period shall not be taken into account for computation of 240 days or 730 days or more of temporary service, as the case may be.

No. 4(i) Such of the workmen as were appointed temporarily but were subsequently appointed either on permanent basis or as probationer on or after January 1, 1966 and had been granted the benefit of increment in their respective scales of pay during the temporary service put in by them, but were given only the initial basic pay in the relevant scale of pay at the time of their appointment either on permanent basis or as probationer, shall be allowed by the management the benefit of increments in their respective scales of pay which had been earlier granted to them during their respective temporary service ; and shall accordingly refix their basic pay in their respective scales of pay with retrospective effect from April 1, 1978.

No. 4(ii) Such of the workmen as are entitled to benefits under term No. 4(i) above shall not be entitled to additional benefits either under term No. 1 or term No. 2 of the settlement; provided further that in any case where any workman concerned is entitled to two increments under term No. 2 of the settlement, but is entitled to only one increment in pursuance of term No. 4(i) of the settlement, that workman shall be given only two increments as envisaged in term No. 2 of the settlement.

No. 5 It is agreed that such of the workmen as were initially appointed on temporary basis and were subsequently appointed either on permanent basis or as probationer and were either given initial basic pay in the respective scales of pay at the time of their appointment either on permanent basis, or as probationers but were subsequently given additional increment/increments in the same scales of pay, or were given higher starting basic or as probationer, the relevant additional increment or increments, as the case may be, will be adjusted against the additional increment or increments payable to them in pursuance of terms No. 1, 2 and 4(i) of this settlement.

No. 6 The benefit of additional increment or increments in the respective scales of pay of the workman concerned as per terms No. 1, 2, 4(i) and 4(ii) of this settlement shall not be available to the following :—

(a) Such of the workmen in the Subordinate Cadre as had been initially appointed on temporary basis but were subsequently appointed on permanent basis as per term No. 1 and 2 of the settlement dated August 1, 1977, arrived at between the parties during the course of conciliation proceedings held by Dy. Chief Labour Commissioner (Central), New Delhi (Copy enclosed as Annexure I) and also such of the workmen as had been allowed one increment a per term No. 3 of the same settlement.

(b) Such of the workmen as were appointed initially on temporary basis but were subsequently appointed on permanent basis or as probationers and had reached the ceiling of their respective scales of pay of either clerical or subordinate staff at any time before April 1, 1978.

No. 7 It is agreed that the arrears of difference of wages payable in pursuance of terms No. 1, 2, 4(i) and 4(ii) of this Settlement shall be payable with retrospective effect from April 1, 1978, only and for computation of such difference of wages, only following items shall be taken into account, namely :—

- (i) Basic pay ;
- (ii) Dearness Allowance ;
- (iii) City Compensatory Allowance and House Rent Allowance ; and
- (iv) Extra contribution by the bank on account of provident fund.

No. 8 It is agreed that additional increment or increments payable in pursuance of this Settlement shall be treated as ad-hoc increment and shall be ignored for the purpose of determination of length of service to be calculated for the purpose of priority list to be prepared in pursuance of mutual settlement between parties reached on June 16, 1973 as amended, relevant extract of which is enclosed vide Annexure II. Such increment or increments will not disturb the existing anniversary date of increment.

No. 9 It is agreed that this Settlement is in full and final settlement of the claims of the workmen who were initially appointed on temporary basis but were subsequently appointed either on permanent basis or on probation and are on the rolls of the Bank, relating to their temporary services. Those workmen will have no claim whatsoever in any shape or in any form excepting those accruing in pursuance of this Settlement.

No. 10 It is agreed that the management shall display a copy of this settlement at each of the Notice Boards at different branches/offices of the Punjab National Bank throughout the country latest by 31st May, 1979.

No. 11 It is agreed that workman concerned entitled to benefits under this Settlement shall apply in writing in the proforma enclosed vide Annexure-III to the respective Regional Managers/Chief Managers/Divisional Chiefs of the

Punjab National Bank so as to reach them latest by July 31, 1979.

No. 12 It is agreed that this Settlement shall not cover the cases of such of the workmen as were appointed initially on temporary basis but were subsequently appointed either on permanent basis or as probationer whose demands relating to the regularisation of their services and consequential benefits thereon are pending adjudication as on date.

No. 13 The Management shall implement the terms of the Settlement and pay the arrears of dues payable to the workman concerned in pursuance of this settlement latest by October 31, 1979.

No. 14 Both the parties agreed to submit separately report on implementation of the Settlement so as to reach the Dy. Chief Labour Commissioner (Central) New Delhi latest by 31-12-1979, failing which it will be presumed that the Settlement has been fully implemented.

#### Representing Employer :

1. Sd./-  
(K. G. Sapra)  
5-5-79
2. Sd./-  
(H. C. Jain)  
5-5-79

#### Representing Workmen :

1. Sd./-  
(P. N. Tewari)  
5-5-79
2. Sd./-  
(D. P. Chadha)  
5-5-79

#### WITNESSES

1. Sd./-  
(A. Roy Choudhary)  
5-5-79  
Manager,  
Industrial Relations,  
Personnel Division,  
Punjab National Bank,  
Head Office New Delhi.

1. Sd./-  
(K. R. Nagpal)  
5-5-79

Asstt. Secretary,  
All India PNB Employees  
Federation, PNB House,  
Bombay

Sd./-  
(K. SHARAN)  
5-5-79

Deputy Chief Labour Commissioner (Central)  
and Conciliation Officer

New Delhi, the 5th May, 1979

Annexure-I

#### FORM 'H' (See Rule 58)

#### MEMORANDUM OF SETTLEMENT

Name of the Parties :  
Representing Employer :

1. Shri S. N. Gupta,  
Deputy Chief,  
Personnel Division,  
Punjab National Bank,  
H.O., New Delhi.
2. Shri H. C. Jain,  
Manager,  
Industrial Relations,  
Personnel Division,  
Punjab National Bank,  
H.O., New Delhi.

Representing Employees :

1. Shri P. N. Tewari,  
President,  
All India PNB Employees'  
Federation, Post Box 10005,  
PNB House, Bombay.
2. Shri D. P. Chadha,  
General Secretary,  
All India PNB Employees,  
Federation, Post Box 10005,  
PNB House, Bombay.

## SHORT RECITAL OF THE CASE

Whereas the parties discussed the issue of permanent absorption of temporary workmen in the subordinate cadre with special reference to the fact that some of them have put in temporary service for considerably long periods and the implications of judgments of the Supreme Court of India in *Hindustan Steel Limited versus State of Orissa*.

And whereas the Deputy Chief Labour Commissioner (Central) in his capacity as conciliator was requested to intervene and bring about an amicable settlement:

The parties have mutually arrived at the settlement described below in the conciliation proceedings before Deputy Chief Labour Commissioner (Central), who has found it reasonable and fair.

## TERMS OF SETTLEMENT

1. That all temporary workman in the subordinate cadre, who, till the date of this settlement,

(i) have worked for 240 days or more for which wages have been paid to them;

(ii) are medically fit as evidenced by a certificate from registered Medical Practitioner not below the rank of an M.B.B.S. unless such a medical certificate has already been submitted;

shall be appointed permanently as confirmed employees in the service of the Bank at an initial basic pay of Rs. 116 p.m. on their making an application in writing latest by 15-9-77 on the proforma appearing as Annexure A to the settlement.

2. That out of the employees appointed in terms of para 1 above, those who have put in 240 days or more of temporary service for which wages have been paid during any 12 consecutive months, shall be given a higher start of one increment on appointment i.e. a basic pay of Rs. 115 p.m. on making an application in writing as per Annexure B by 15-9-1977.

3. That such of the temporary employees appointed permanently in the subordinate cadre from 1-1-1976 to the settlement who had put in 240 days or more of temporary service for which wages have been paid during any 12 consecutive months since 1-1-1971 to the date of his appointment as probationer, shall be allowed one additional increment from the date of the settlement on making an application in writing as per Annexure 15-9-1977.

4. That the employees referred to in clauses 1 and 2 above shall be posted as far as possible at or near stations of their temporary work but can be posted out stations and/or regions according to the availability of vacancies.

5. That the management shall implement the terms of settlement not later than 31-12-1977.

6. It is understood that employment of temporary employees in future will depend upon exigencies of bank work and for future employment of subordinate staff. Preference will be given to those temporary employees who are on the panel of the Bank on the date of this settlement on the existing basis.

7. That this is in full and final settlement of all claims for the past period and disputes of all temporary workmen in the subordinate cadre covered by this settlement relating to the termination of their service or back wages or non-payment of retrenchment compensation on their absorption in the permanent employment of the Bank, and the workmen will not raise any industrial dispute whether by themselves or through any union nor claim any rights or benefits in any shape or form.

8. The settlement shall not be quoted as a precedent.

## SIGNATURE OF THE PARTIES

Representing Employer :

Representing Employees :

1. Sd/-

(S. N. Gupta)

2. Sd/-

(H. C. Jain)

1. Sd/-

(P. N. Tewari)

2. Sd/-

(D. P. Chadha)

## WITNESSES

1. Sd/-

(R. Ajmani)

Manager,

Personnel Division,

Punjab National Bank,

HO New Delhi.

2. Sd/-

(S. K. Gupta)

Sr. Per. Officer,

Personnel Division,

Punjab National Bank,

HO New Delhi.

Dated : 1st August, 1977

1. Sd/-

(P. R. Bhatia)

Vice President,

All India PNB Employees

Federation, PNB House,

Bombay.

2. Sd/-

(K. R. Nagpal)

Asstt. Secretary,

All India PNB Employees

Federation, PNB House,

Bombay.

Sd/-

Signatures of the Deputy Chief Labour Commissioner (Central)

Labour Commissioner (Central)

(V. P. GUPTA)

Deputy Chief Labour Commissioner (C) ---

Office of the Chief Labour Commissioner (C)

New Delhi Tele : 383807

## ANNEXURE A

The Regional Manager,

\_\_\_\_\_Region.

Dear Sir,

Please refer to Settlement dated August 1, 1977 arrived at between the Bank and the All India PNB Employees' Federation regarding absorption of temporary employees in the subordinate.

In terms of clause 1 thereof, I request that I may be absorbed as a confirmed employee in the Bank service. I have worked as a temporary employee in the subordinate cadre for 240 days for which wages were paid. The details of temporary service put in by me are as under :—

I hereby declare that I shall be bound by the terms and conditions contained in the Settlement under reference and undertake that I shall have no claim with the Bank by way of dues, reinstatement or any other claim whatsoever in respect of temporary service.

Yours faithfully,

( )

Note : Certificates issued to the applicants by Incumbents Incharge in respect of their temporary service be enclosed wherever available.

## ANNEXURE B

The Regional Manager,

\_\_\_\_\_Region.

Dear Sir,

Please refer to settlement dated August 1, 1977 arrived at between the Bank and the All India PNB Employees' Federation regarding absorption of temporary employees in the subordinate cadre.

I have worked for 240 days in 12 consecutive calendar months and the details of the temporary service put in by me are as under :—

In terms of clause 2 of the settlement, I request that I may be appointed as a confirmed employee on a basis of Rs. 110.

I hereby declare that I shall be bound by the terms and conditions contained in the Settlement under reference and undertake that I shall have no claim with the Bank by way of dues, reinstatement or any other claim whatsoever in respect of temporary service.

Yours faithfully,

( )

Note : Certificates issued to the applicants by Incumbents Incharge in respect of their temporary service be enclosed, wherever available.

#### ANNEXURE C

The Regional Manager,

—Region,

Dear Sir,

Please refer to settlement dated August 1, 1977 arrived at between the Bank and the All India PNB Employees' Federation regarding absorption of temporary employees in the subordinate cadre.

That I was appointed as a probationer on— and during the 12 consecutive calendar months from 1-1-1974 to the date of my appointment, I have put in 240 days for which wages were paid. The details of temporary service are given below :

As provided in the Settlement, I may be allowed an additional increment in the scale applicable to subordinate cadre from the date of the Settlement.

I hereby declare that I shall be bound by the terms and conditions contained in the settlement under reference and undertake that I shall have no claim with the Bank by way of dues, reinstatement or any other claim whatsoever in respect of temporary service.

Yours faithfully,

( )

Note : Certificates issued to the applicants by Incumbents Incharge in respect of their temporary service be enclosed wherever available.

#### ANNEXURE II

RELEVANT EXTRACT FROM THE PROMOTION POLICY SETTLEMENT NO. 2 OF 1973 DATED 16TH JUNE, 1973 ARRIVED AT BETWEEN THE BANK AND THE ALL INDIA PUNJAB NATIONAL BANK EMPLOYEES FEDERATION

##### 2. Length of Service.

(a) One mark shall be given for each completed year of service in the bank in clerical cadre (excluding period of apprenticeship and work in non-clerical posts) from the date of appointment as probationer with a maximum of 25 marks.

(b) The amount of higher initial start and/or extra increments granted before 31-1-50 shall be converted into marks by dividing the amount by Rs. 5 (fraction to be rounded off to the nearest integer).

(c) The amount of higher initial start and/or extra increments granted after 31-1-1950 shall be converted into marks by splitting the amount into the normal rates of increments admissible at the relevant time (fractions to be ignored).

(d) ad-hoc group increments or increments for other than good work shall be ignored.

(e) One mark shall be deducted for every increment withheld as a result of disciplinary action.

(f) Leave without pay shall be deducted from total length of service only in those cases where increments have also been deferred for such periods of leave on loss of pay. The Regional Manager/Divisional Chief.

#### ANNEXURE III

The Regional Manager/Divisional Chief

—Region/Division.

Dear Sir,

Please refer to the settlement dated 5-5-79 arrived at between the Bank and the All India Punjab National Bank Employees Federation before the Dy. Chief Labour Commissioner (Central) regarding grant of benefits arising out of temporary services put in by the existing workmen of the Bank.

2. I have worked on temporary basis or not less than 240 days in 12 consecutive calendar months.

OR

I have worked on temporary basis for not less than 240 days in 12 consecutive calendar months and the total period of temporary services put in by me before my appointment on permanent basis or as probationer is not less than 730 days.

(Delete whichever is not applicable)

3. While I had worked on temporary basis before my appointment on permanent basis or as probationer, I was not granted any increment/was granted—increments during the period of my temporary service. However, at the time of regular absorption in the bank service on—.

I was appointed only on the initial basic pay of Rs.— in the scale.

4. The details of temporary service put in by me are as under :—

| Month | Year | No. of days of temporary service | No. of intervening weekly holidays & public holidays | Branch/Pay office |
|-------|------|----------------------------------|--|-------------------|
| 1     | 2    | 3                                | 4  | 5                 |

1.

2.

3.

Grand Total—

(Column 3 & 4)——

\*Add weekly holidays and public holidays declared under Negotiable Instruments Act intervening the continuous days of temporary service in terms of clause 3 and illustrations thereto of the settlement provided those are not already included in the period under Column No. 3.

5. I hereby declare:

(a) that I was neither absorbed on regular basis in terms of settlement dated 1-8-1977 arrived at between the Bank and the Federation nor was allowed the benefit of increment in terms thereof i.e. the settlement dated 1-8-1977.

(b) that at the time of my appointment as probationer or on permanent basis I was not given the higher starting salary nor I was given additional increment/increments subsequent to my regular appointment in consideration of temporary service put in by me.

(c) that I did not reach the ceiling of the scales of pay off clerical/subordinate staff at any time before April 1, 1978.

That benefit of increment/increments admissible to me under this settlement be allowed.

Yours faithfully,

Name: \_\_\_\_\_

Designation: \_\_\_\_\_

Present Branch/Office: \_\_\_\_\_

Dated: \_\_\_\_\_

NOTE: (1) Delete whichever is not applicable.

(2) The copies of the certificates, if any, in respect of temporary service be enclosed.

[No. L-12012/74/77.D.II.A.]

New Delhi, the 21st September, 1979

**S.O. 3449.**—In pursuance of section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Bhubaneswar, Orissa in the industrial dispute between the employers in relation to the management of Allahabad Bank, Rourkela Branch and their workman over non-confirmation of Shri Nirod Chandra Roy as Peon-cum-Watchman, which was received by the Central Government on 20-9-79.

#### INDUSTRIAL TRIBUNAL, BHUBANESWAR

#### PRESENT :

Shri M. V. Gangaraju, B.A., B.L., Presiding Officer, Industrial Tribunal, Bhubaneswar.

#### Industrial Dispute Case No. 1 (Central) of 1979

Bhubaneswar, Dated, the 4th September, 1979

#### BETWEEN

The employers in relation to the management of Allahabad Bank, Rourkela Branch.—First party

#### AND

Their workman Shri Nirod Chandra Roy.—Second party

#### APPEARANCES :

For the first-party management.

Shri M. R. Sarbadhikari, Law Officer, Allahabad Bank.

Shri J. P. Gupta, Area Manager, Allahabad Bank

For the second party workman :

Shri Nirod Chandra Roy.

Shri Niranjan Mishra, General Secretary, All-Orissa Allahabad Bank Employees' Union.

#### AWARD

In exercise of the powers conferred by Section 7-A and Clause (d) of Sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, the Government of India in the Ministry of Labour have referred the following dispute to this Tribunal for adjudication in their Order No. L-12012/88/78-D. II.A. dated 2-3-1979 :

"Whether the action of the management of the Rourkela Branch of the Allahabad Bank in not confirming in service Shri Nirod Chandra Roy as Peon-cum-Watchman is justified ? If not, to what relief is the workman concerned entitled ?"

2. Today, i.e. on 4-9-1979, when the case was called on for further hearing, both the parties filed a joint petition along with a Memorandum of Settlement stating that they had settled the dispute amicably out of court and they prayed to pass an Award in terms of the settlement. Both the

parties admitted the terms of the settlement before this Tribunal and stated that they entered into the settlement without any coercion or duress in the interests of industrial peace and harmony.

3. Hence I pass this Award in terms of the settlement and the memorandum of settlement do form part of the Award.

Sd/-

M. V. GANGARAJU, Presiding Officer,  
Industrial Tribunal, Bhubaneswar.

#### FORM H

(Sec Rule 58)

#### FORM FOR MEMORANDUM OF SETTLEMENT

#### Representing employer(s) :

Shri Manab Ranjan Sarbadhikari Law Officer, Allahabad Bank.

#### Representing workmen :

Shri Niranjan Mishra, General Secretary, All Orissa Allahabad Bank Employees' Union.

#### Short recital of the case

1. The Government of India in the Ministry of Labour, New Delhi in their Order dated 2nd March, 1979, have referred the dispute as to whether the action of the management of the Rourkela Branch of the Allahabad Bank in not confirming in service Shri Nirod Chandra Roy as Peon-cum-Watchman is justified ? If not, to what relief is the workman concerned entitled ? The aforesaid dispute is pending before the Hon'ble Industrial Tribunal, Bhubaneswar for adjudication in Industrial Dispute Case No. 1 (Central) of 1979.

#### TERMS OF SETTLEMENT

2. That the Management of Allahabad Bank and the workman Shri N. C. Roy through All Orissa Allahabad Bank Employees' Union after mutual discussion have arrived at a Settlement outside the Tribunal to settle the instant dispute amicably, on the following terms and conditions :—

(i) That Shri N. C. Roy would be absorbed in Bank's Service as Peon-cum-Farrash with effect from 1-7-1977.

(ii) That he would tender resignation from the post of part-time Sweeper with effect from 30-6-1977.

(iii) That all benefits due to the Peon-cum-Farrash as per the existing norms of the Bank and the bipartite settlement would be available to Shri N. C. Roy with effect from 1-7-1977.

(iv) That Shri N. C. Roy continues working in Rourkela Branch in supernumary capacity till he is posted in earliest future available vacancy, and he would proceed to join the said vacancy immediately on receipt of the Order.

3. Beside the above, Shri N. C. Roy will have no other claim with the Bank, and his service condition would be governed as per the existing service condition of Peon-cum-Farrash in Bank as well as Bipartite Settlement.

4. Since the Management agrees to absorb Shri N. C. Roy in Bank's service as Peon-cum-Farrash on the aforesaid terms

and conditions and the workman Shri Roy also agrees to be absorbed in Bank's service accordingly, it is submitted that there is no need of pursuing the above case any further.

Signature of the parties

Sd/- Illegible,

Law Officer, 4-9-1979  
Allahabad Bank

Witnesses :—

1. (J. P. Gupta)  
Area Manager,  
Allahabad Bank, BBSR  
4-9-79
2. Niranjan Mishra, Gen Secy.

Sd/- Illegible,  
4-9-79

[No. L-12012/88/78-D.I.A.]

**S.O. 3450.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi in the industrial dispute between the employers in relation to the management of Punjab National Bank, Ludhiana and their workman over transfer of Shri Sat Paul Aggarwal, Clerk from Chaura Bazar at Ludhiana to Mall Road Branch of the Bank of Patiala on his promotion as a Special Assistant and debarring him from officiating as a Special Assistant, which was received by the Central Government on 11-9-1979.

**BEFORE SHRI MAHESH CHANDRA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, NEW DELHI**

**I. D. No. 39 of 1979**

**BETWEEN**

The General Secretary,  
Association of Punjab National Bank Employees'  
Basco Building, Civil Lines,  
Jullundur City.

**AND**

The Regional Manager,  
Punjab National Bank,  
39, Sharaba Nagar, Ludhiana.

**AWARD**

The Central Government as appropriate Government made a reference u/s 10 of the I. D. Act, 1947 in the following terms vide their order No. L-12011/39/78-D.II(A) dated the 9th July, 1979 to this Tribunal :

Whether the actions of the management of the Punjab National Bank, Ludhiana in transferring Shri Sat Paul Aggarwal, Clerk at branch office at Chaura Bazar at Ludhiana to Mall Road Branch of the Bank at Patiala, on his promotion as a Special Assistant and debarring him from officiating as a Special Assistant for one year because of his failure to join at Mall Road branch of the bank are justified? If not, to what relief is he entitled?

2. After this reference was received usual notices were issued to the parties and in pursuance thereof party's representative appeared before me and have come forward with a statement on the 1st of September, 1979 which read as under :

'Parties have compromised. A no dispute award be made. We tender Ex. S/1'

3. In view of the statement recorded above, and in view of settlement Ex. S/1 a no dispute award is hereby made in this matter. Parties are left to bear their own costs.

**MAHESH CHANDRA, Presiding Officer**

Dated : the 5th September, 1979

Further Awarded :

That requisite number of copies of this award may be sent to the appropriate Government for necessary action at their end.

Sd/-

**MAHESH CHANDRA, Presiding Officer**

Dated : the 5th September, 1979.

[No. 12011/39/75-D.II.A]

**S. K. MUKHERJEE, Under Secy.**

New Delhi, the 14th September, 1979

**S.O. 3451.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad, in the industrial dispute between the employers in relation to the management of Dugda Coal Washery of Messrs Hindustan Steel Limited, Post Office Dugda, District Giridih and their workmen, which was received by the Central Government on the 11th September, 1979.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2) AT DHANBAD**

**PRESENT :**

Shri J. P. Singh,—Presiding Officer.

**Reference No. 68 of 1979**

In the matter of an industrial dispute under S. 10(1)(d) of the Industrial Disputes Act, 1947.

**PARTIES :**

Employers in relation to the management of Dugda Coal Washery of Messrs Hindustan Steel Limited, Post Office Dugda, District Giridih.

**AND**

Their workmen.

**APPEARANCES :**

On behalf of the employers.—Shri T. P. Choudhury, Advocate.

On behalf of the workmen.—Shri D. Mukherjee, Advocate.

State : Bihar.

**INDUSTRY : Coal**

Dhanbad, 6th September, 1979

**AWARD**

This is a reference under S. 10(1)(d) of the I.D. Act, 1947. The Central Government by notification No. L-20012/246/75-D.IIIA dated 4th April, 1977 has made this reference to this Tribunal for adjudication of a matter on the following terms :

**SCHEDULE**

"Whether the action of the management of Dugda Coal Washery of Messrs Hindustan Steel Limited, Post Office Dugda, District Giridih, in dismissing Shri Sitaram Mahato, unskilled worker from service with effect from 26th August, 1974, is justified? If not, to what relief is the said workman entitled?"

Shri Sitaram Mahato who has been dismissed by the management of Dugda Coal Washery of Messrs Hindustan Steel Limited happened to be the Vice President of the Dugda Branch of the Bihar Colliery Kamgar Union. He was an unskilled workman in the Dugda Coal washery. On 14-12-73 a charge sheet was served on Sitaram Mahato and two others belonging to the same union alleging that they had assaulted Shri S. K. Jha, Assistant Personnel Officer. The workmen submitted their explanations and then a departmental enquiry was held. Sitaram Mahato was found to be guilty of the charges and was dismissed.

The case of the management in brief is that at about 9.45 A.M. Shri S. K. Jha, A.P.O. was going to see the washery manager inside the washery premises in car No. BRW 6618. It was stopped by CITU supporters and contractors workmen near CITU union office and the car was surrounded among others by Shri Sitaram Mahato, Brahma-deo Mahato and Shri Ramdeo Mahato. Shri Sitaram Mahato forcibly opened the door of the car and Shri Jha was dragged out by Shri Brahma-deo Mahato and Shri Ramdeo Mahato. Then all the three assaulted Shri Jha with lathi on his head and arm. Shri Jha was thereafter dragged to a room and locked from outside. In the room the delinquent workmen had forced Shri Jha to sign on a letter pad stating that 'he had sustained injuries in the car accident. Shri Jha was thereafter released and went to the hospital to receive first aid treatment.

The domestic enquiry against the aforesaid three workmen had been conducted by Shri P. R. Rakshit, an Advocate of Dhanbad. The washery concerned is situated in the district of Giridih. The enquiry had to be conducted ex-parte because the workmen and their union insisted that the enquiry should not be conducted by a lawyer as it was against the spirit of the S.O. 31(ii) of the Company's standing orders. They also insisted with the management that since they been wrongly charge-sheeted, the proceedings should be dropped and suspension order lifted. The management did not accept their contention and therefore Shri Rakshit, the Advocate conducted the enquiry in which the workmen concerned did not participate.

This case had been pending before the Central Government Industrial Tribunal (No. 3) Dhanbad and the learned Tribunal after hearing the parties on preliminary point as to whether the domestic enquiry was fair and proper, came to a conclusion that it was fair and proper. I have heard thereafter the case on merit. The learned Advocate appearing on behalf of the management has argued before me that the Labour Ministry, Government of India had made this Reference after having once rejected in the past. His contention had been that his should not have been done without giving proper opportunity to the management to state their own case. In the course of argument it was however conceded that since this is a reference of an industrial dispute to a tribunal this is within the administrative competence of the Ministry. It does not ipso facto becomes bad for the reason that the reference was once rejected by the Ministry. Now this being the position it is not necessary to dwell on this subject any more. Suffice it to say that on the authority of the Supreme Court decisions it is well settled that the Government was competent to make a reference in spite of having rejected it earlier.

The next point that had been taken is that in the schedule of the reference the words used are "in dismissing Shri Sitaram Mahato". The management's contention is that Shri Sitaram Mahato was not dismissed but was simply removed from service as distinction is sought to be made between removal and dismissal. A copy of the standing orders for Dugda Coal washery of Messrs Hindustan Steel Ltd. has been placed on the record of this case. Order 30 provides for penalties or misconduct. Clause 2(c) of this order deals with removal from service specifying that such removal does not disqualify for future employment. Clause 2(d) of the order deals with dismissal from service which disqualifies for future employment. The ordinary meaning of dismissal is removal from service; the only distinction is made that in the case if the removal the workman stands a chance for future employment while in the case of dismissal he does not get any such chance. It has been aptly contended on behalf of the workmen that since the workmen are employees in a coal industry which is now owned by the Government itself, the workmen could hardly stand any chance of being re-employed. The real effect of removal from service would therefore amount to dismissal. Now whatever the position might be, we are concerned with the dispute raised in this case on behalf of the workmen that their removal from service was unjust. The mention of the word "dismissal" in the schedule of the reference therefore cannot be said to vitiate the reference and the proceedings of this case.

It has been contended on behalf of the workmen that the domestic enquiry and the dismissal thereafter has been vitiated on account of the attitude of the management which was determined to see that the office bearers of the Bihar Colliery

Karnagar Union should be sacked. At initial stage also it had been contended that the domestic enquiry should not have been done by a hired lawyer because the standing orders prohibits such a course of action. Order 31(ii) read as follows :

"Where an employee is charged with an offence which may lead to the imposition of a major penalty, he shall be informed in writing of the allegations against him and shall be given an opportunity to make representation within a period of not less than 7 days. On receipt of the employee's explanation, where the allegations are denied by him an enquiry shall be held by an officer or officers nominated by the management. Such enquiry will be conducted by an officer other than the officer who has either reported the alleged misconduct or has issued the charge-sheet. At the enquiry, the employee concerned shall be afforded reasonable opportunity of explaining and defending his action with the assistance of a fellow employee. Where such enquiry, relates to the alleged misconduct of several employees the enquiry may be held for all the employees together. Copies of all relevant documents in connection with the evidence such as enquiry proceedings, findings of the enquiry officer etc. shall supplied by the management to the employees concerned on request".

The learned Central Government Industrial Tribunal (No. 3) Dhanbad who heard the matter on preliminary point of domestic enquiry made the following observation :

Further it is submitted that the minute the management appointed Shri Rakshit as an Enquiry Officer during the course of the enquiry, Shri Rakshit should be deemed to be an officer of the company, just as an Advocate appointed by a Civil or Criminal court as a Receiver or Commissioner. Sri Mukherjee relied upon the decision of Mr. K. K. Sarkar, Presiding Officer of C.G.I.T.-cum-Labour Court No. 2, Dhanbad rendered in L.C. Case No. 2/75 wherein the identical question fell to be considered. The learned Judge accepted the contention now sought to be advanced on behalf of the workman herein. With great respect I beg to differ from this view. I hold that there is nothing wrong in Shri Rakshit MW-1 being appointed as an Enquiry Officer.

This matter has accordingly been disposed of and since the order on the preliminary point will be deemed to be an order of this court, I have no intention to differ from the above fact. Yet, I have to mention that we cannot get away from this fact that the workmen and their union always insisted that some officer of the company should conduct the departmental proceeding and their objection to Shri Rakshit conducting the proceeding was so severe that they had to boycott the proceeding altogether. I fail to understand why the management could not appoint officers of their own company or that of a sister concern to conduct the domestic enquiry especially when serious objections were raised by the workmen and on their behalf by the union to the appointment of Shri Rakshit as the enquiry officer. The consequent result had been that enquiry had to be conducted ex-parte. It is under this set up that we have to clearly examine the evidence in order to see if proper conclusion had been drawn by the enquiry officer in his report to the management in consideration of which the management had passed the removal order in respect of Shri Sitaram Mahato. I have to say this in view of the contention raised on behalf of the workmen that the enquiry officer while dealing with the case of the workmen has followed a double standard and has therefore made a vital error in coming to a conclusion that Shri Sitaram Mahato was guilty of the charges.

The enquiry officer recorded the evidence of the management's witnesses. The first witness is Shri R. S. Verma, Senior Personnel Officer. He is not a witness on the point of occurrence. The next witness is Shri G. R. Sen, the driver of the car in which Shri Jha was going. His evidence is on 13-12-1973 at about 9.45 A.M. when he was taking Shri S. K. Jha in car No. BRW 6618 he found many people near C.I.T.U. office. They were on the road and stopped the



car. Thereafter he says that the persons who stopped the car were contractors people coming from the neighbouring villages. They also asked him to park the car near C.I.T.U. office. He speaks about the presence of S/Shri Sitaram Mahato, Ramdeo Mahato and Brahmadeo Mahato. He found Shri Jha keeping his hand on his head which was bleeding at the lathi blow of Sri Sitaram. He did not see that the aforesaid persons kept Shri Jha in the lock and key in the C.I.T.U. office. He also saw that Sitaram Mahato got something written by Shri Jha under some duress. Another peon, who was in the car, Ranjit Singh went running to inform the manager about it. The witness has said that when the occurrence was going on one Shri Mitra, A.O.S.T. tried to intervene but the people went on threatening him. Now according to this witness he had seen the occurrence from the beginning to the end and as he was present at the time of occurrence, he is expected to see the entire occurrence. The learned enquiring officer put him some questions and his evidence is that operators and other workers were in the pan shop hereby and the washery workers were also coming and going that way. The enquiry officer specifically asked whether he had seen Sitaram Mahato, Ramdeo Mahato and Brahmadeo Mahato assaulting Shri S. K. Jha and his reply is as the car was surrounded by many persons he could not see who had assaulted Shri Jha with lathi. This witness therefore contradicts his evidence in examination-in-chief where he says that Sitaram Mahato had given lathi blow on the head of Shri S. K. Jha. He does not say anything about Shri Jha being dragged out of the car. From his evidence it appears that the assault took place near the car. It is strange that he did not see whether Shri Jha was assaulted when he was in the car or had been dragged out and then assaulted. It does not appear to reason that he could not see dragging incident and assault even though he was at that particular time very close to Shri Jha. On the point as to whether he was taken in the CITU office, his evidence is that he did not see whether the persons present had taken Shri Jha in the room and put him under lock and key. The case against Sri Sitaram Mahato is that he had taken Shri Jha in the room where he was forced to write that he sustained injury in car accident. On the other hand, the evidence of this witness is that when Shri S. K. Jha came out bleeding profusely he wanted water and some of the contractors labourers gave him water to drink. It was thereafter that Sri Sitaram got something written by Shri Jha under duress. On this point the management's case has been contradicted by this witness because according to him Shri Jha was forced to write outside the room whereas the management's case is that he was forced to write inside the room. So, on the point of dragging, assault and on the wrongful confinement of Shri Jha the witness has given quite contradictory evidence although he was the most competent witness to depose on the point.

The other witness Shri Ranjit Singh is an office peon, who was going in the same car with Sri S. K. Jha. He has said that near CITU office he found many contractors labourers assembled and they stopped the car. He has named S/Shri Sitaram Mahato, Brahmadeo Mahato and Ramdeo Mahato who had come near the car. But on the point of actual occurrence his evidence is that he could not see who dragged Shri Jha from the car. He also could not see who had caused bleeding injury on the head and on the person of Shri Jha. He has further said that he could not say who restrained Shri Jha in the office. So on all the three aspects of this occurrence the witness has not supported the case of the management.

Now, turning to the evidence of Shri S. K. Jha himself, his evidence in examination-in-chief is that he found many contractors labourers near the CITU office and some of them were on the road. He recognised among the crowd Sri Sitaram Mahato who dragged him out of the car along with others. He has said that they started assaulting him. Later on he has said that he was assaulted by Sitaram Mahato, Ramdeo Mahato and Brahmadeo Mahato. Then his evidence is that they forced him into the CITU office where he was wrongfully restrained and he was made to write on a paper under extreme duress. He does not say as to who made him write the letter. The enquiry officer however asked him questions specifically. On the question of dragging he has said that Sitaram Mahato dragged him out of the car. To another question he has said that he could not say whether Ramdeo Mahato or Brahmadeo Mahato also dragged him out. On the point of assault he has said that so far as he remem-

bers Sitaram Mahato hurled lathi blow. So he fully implicated Sitaram Mahato in the questions asked by the enquiry officer; he does not involve Brahmadeo Mahato and Ramdeo Mahato on the question of dragging and assault as he had done in his statement in examination-in-chief. It is apparent from the statement of this witness that in his examination-in-chief he fully wanted to implicate all the three workmen who had been charge-sheeted, but when questions were asked by the enquiry officer he chose to involve only Sitaram Mahato. The enquiry officer had used the evidence of Shri S. K. Jha in answer to his own questions in order to exonerate Brahmadeo Mahato and Ramdeo Mahato and the same evidence had been used in order to come to conclusion that Sitaram Mahato was guilty of the charges.

Since this case of dismissal is based purely on the evidence of Shri S. K. Jha, it is noteworthy that the enquiry officer has given his finding about the guilt of Sitaram Mahato without any corroborated evidence. I have pointed out above that the two witnesses Shri G. R. Sen, driver and Shri Ranjit Singh, office peon, who were present at the time of occurrence near Shri Jha have not corroborated the case of the management on the question of dragging of Shri S. K. Jha, on the question of assault and also on the question of wrongful confinement. Even Shri S. K. Jha has contradicted himself in answering the questions put forth by the enquiry officer. The enquiry officer therefore, should have scrutinised the evidence of Shri S. K. Jha before finding Sitaram Mahato guilty. Moreover, the management did not choose to examine Shri Mitra, A.O.S.T. who was, according to the evidence of the witnesses near the place of occurrence, and had as a matter of fact intervened. No explanation had been offered as to why Shri Mitra was not examined. It appears to my mind that the charges were framed on the allegations made by Shri S. K. Jha although the management has not said a word about it. In ordinary course he should have made the report to the higher authorities. That particular paper would have given the picture of the occurrence. But apart from that the positive case is that a FIR was lodged at the police station in respect of the occurrence. So these two papers have not been produced at the enquiry stage as corroborative piece of evidence. Since it was a case of assault and bleeding injuries there should have been an injury report in order to corroborate the case of assault. Even this paper was not produced. It would, therefore, appear that the enquiry officer solely relied on the un-corroborated testimony of Shri S. K. Jha without considering the possible effect of the contradictory statement made in his evidence. I am sure that if he had considered all these, he would have given the benefit of doubt in the case of Sitaram Mahato also as he has done in the case of Brahmadeo Mahato and Ramdeo Mahato. It is true that since the enquiry was found to be fair and proper the conclusions arrived at by the enquiry officer and the subsequent action of the management based on that enquiry report should not be normally interfered with but for the reasons given by me in discussing the evidence of the witnesses, I am constrained to hold that right conclusion in respect of the guilt of Sitaram Mahato had not been taken by the enquiry officer. This has led the management giving a wrong order in removing Shri Sitaram Mahato from service.

In the result, the order of removal of Shri Sitaram Mahato from service cannot be sustained. Shri Sitaram Mahato will, therefore, be deemed to be in service from the date he was dismissed from service i.e. 26th August, 1974. He will be entitled to the full back wages and to be reinstated in the service of Dugda Coal Washery of Messrs Hindustan Steel Limited, Post Office Dugda, District Giridih, with effect from 26th August, 1974.

This is my award.

J. P. SINGH, Presiding Officer.

[No. L-20012/246/75-D.III(A)]

S. H. S. IYER, Desk Officer

New Delhi, the 17th September, 1979

**S.O. 3452.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal (C), Hyderabad in the industrial dispute between the employers in relation to the management of Singareni Collieries Company Limited, Godavari Khani No. 5 Incline, Ramagundam



Division-II, Godavari Khani, Karimnagar, District Andhra Pradesh and their workmen which was received by the Central Government on 10th September, 1979.

**BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL)  
AT HYDERABAD.**

**PRESENT :**

Sri G. Sadasiva Reddy, B.A., B.L., Industrial Tribunal (Central).

Dated, 31st August, 1979

**Industrial Dispute No. 30 of 1978**

**BETWEEN**

Workman of Singareni Collieries Company Limited, Godavari Khani No. 5 Incline, Ramagundam Division II, Godavari Khani, Karimnagar District (A.P.)

**AND**

The Management of Singareni Collieries Company Limited, Godavari Khani No. 5 Incline, Ramagundam Division II, Godavari Khani, Karimnagar District (A.P.).

**APPEARANCES :**

Sri A. Lakshmana Rao, Advocate for the Workman. Sarvasri K. Srinivasa Murthy and K. Satyanarayana Rao, Advocates for the Management.

**AWARD**

On an industrial dispute that arose between the Management of Singareni Collieries Company Limited, Godavari Khani No. 5 Incline, Ramagundam Division II, and their Workmen, in respect of the matters specified in the Schedule, the Government of India (Ministry of Labour) through its order dated 13th September, 1978 referred the dispute to this Tribunal for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947.

**SCHEDULE**

"Whether the action of the Management of M/s. Singareni Collieries Company Limited, Godavari Khani, Karimnagar District Andhra Pradesh in dismissing Sri Modi Narsaiah, Ex-Canteen boy, Godavari Khani No. 5 Incline, from service with effect from 20th August, 1976 is justified? If not, to what relief is the concerned workman entitled?"

2. The facts that gave rise to this reference, briefly stated are the following :— Sri Modi Narsaiah who shall hereafter be referred to as the petitioner, was employed as a Canteen-boy in one of the canteens, run by the Management of Singareni Collieries Company Limited, Godavari Khani No. 5 Incline and his duties were to clean the cups and other utensils, apart from assisting the cook in preparing on eatables. It has been the practice to send each day's sale proceeds to the Assistant Accounts Officer, through the Petitioner. When the accounts of the Assistant Accounts Office were checked in June 1976, it was noticed that the Petitioner had not remitted an amount of Rs. 949.33 representing the sale proceeds on different dates between 16th December, 1975 and 27th May, 1976. It was also found that the Petitioner had not remitted certain amounts regularly in the accounts office. Therefore, he was served with two charge-sheets, dated 7th June, 1976 and 14th June, 1976 for his irregular remittances and failure to remit certain amounts, respectively and was called upon to submit his explanation. Enquiries were held and the Petitioner was found guilty of the charges by the enquiry officer. The findings of the Enquiry Officer were accepted by the Management and the Petitioner was dismissed from service by an order dated 20th August, 1976.

3. Aggrieved by the said order, the Petitioner through the workers' Union raised a dispute and efforts at conciliation 637 GI/79—11

having failed, the Central Government, after being satisfied about the existence of an industrial dispute, reference the same to this Tribunal for adjudication.

The Petitioner in his claim statement filed before this Tribunal, has alleged that the charges levelled against him are false, that no enquiry was infact conducted in his presence nor was he given any opportunity to cross-examine the Management witnesses said to have been examined during the course of the enquiry, that the Welfare Officer and the Canteen Clerk made him to submit the explanations admitting the guilt much against his will that he was also made to affix his thumb impressions on certain previously prepared statements, the contents of which were not disclosed to him, that in none of the Canteen run by the Management, the Canteen boys will be entrusted with the sale proceeds, as it is the duty of the Canteen Clerk and Welfare Officer, to deal with cash and its remittances, that the canteen clerk alone made good of the amount alleged to have been short remitted as it was he who must have utilised the amounts, that the Petitioner is only made a scape goat in the matter in order to save the Canteen Clerk, who alone is guilty of the alleged misconduct, that the dismissal order passed against the Petitioner, without conducting any enquiry and without giving him an opportunity to defend himself is invalid, that the same is also illegal for the reason that it was passed in violation of the Standing Order 16(C) without taking into consideration of the past unblemished record of the Petitioner and that therefore, the Petitioner is entitled to be reinstated into serve with full back wages and continuity of service, setting aside the dismissal order passed.

5. The Management has filed a counter denying all the adverse allegations made and contending that as per the practice prevailing in all the canteens run by the Management, daily sale proceeds were being sent only through the Canteen boys for remittance in the office of the Assistant Accounts Office, that the Petitioner who was entrusted with the sale proceeds between 16th December, 1975 and 27th May, 1976 failed to remit a total sum of Rs. 949.33, that he was also found to have failed to remit certain amounts in time, that therefore two separate charge sheets dated 7th June, 1976 and 14th June, 1976 were issued to him, that the petitioner submitted his explanations admitting his guilt, that despite his admission enquiries were held giving every opportunity to the Petitioner, not only to cross-examine the Management witnesses but also to lead evidence on his behalf, that the petitioner infact participated in the enquiries and utilised the opportunity given to him, that his allegation as if he was made to admit the offence and to affix his thumb-impressions on certain statements prepared behind his back without even disclosing their contents to him is not only false but is only an after thought, that his past record was duly taken into consideration while passing the order of dismissal, and that dismissal being the only fit and proper punishment that can be awarded, having regard to the gravity of the misconduct proved, the petitioner is not entitled to any relief.

6. Since the impugned order of dismissal passed against the Petitioner was preceded by a domestic enquiry, on which the Management relied, the parties were directed to lead evidence on the validity of the enquiry proceedings, in which regard, the Management filed the enquiry proceedings which are marked as Exs. M 1 to M 13 by consent while the Petitioner got himself examined as W. W. 1 who did not however file any documents.

7. Out of the documents filed by the Management, Exs. M 1 and M 9 are the two charge-sheets served on the Petitioner on 7th June, 1976 and 14th June, 1976 respectively. Ex. M 1 relates to the failure of the Petitioner to remit a sum of Rs. 325.10 entrusted to him on 21st April, 1976, 22nd April, 1976, 26th May, 1976 and 27th May, 1976 and also delayed remittances made by him. Ex. M 9 pertains to the Petitioner's failure to remit a total sum of Rs. 624.23 which was entrusted to him between 18th December, 1975 and 9th February, 1976. Ex. M 2 is the letter dated 10th June, 1976 by which the Petitioner was directed to attend the enquiry on 15th June, 1976 in respect of the charges covered by Ex. M 1. Ex. M 5 is the explanation of the Petitioner to the charge sheet covered by Ex. M 1 admitting the fact of his failure to remit a sum of Rs. 325.10 till 2nd June, 1976 on which date the said amount was paid by the wife of the Petitioner, reporting that her husband had misappropriated the above amount. Ex. M 10 is the explanation given to the other charge-sheet covered by Ex. M 9 under

which also the petitioner has admitted the charge levelled against him. Ex. M 3 is the letter dated 28th May, 1976 of the Welfare Officer, to the Assistant Accounts Office, intimating that a sum of Rs. 185.15 being the sale proceeds realised on 26th May, 1976 and 27th May, 1976 was sent for remittance. It is on this, an endorsement is made to the effect that the wife of the Petitioner, paid Rs. 325.10 on 2nd June, 1976 in the presence of mediators. Ex. M 4 is the letter dated 2nd June, 1976 said to have been given by the wife of the Petitioner, while paying Rs. 325.10 to the Welfare Officer, in the presence of mediators. Ex. M 7 is the enquiry proceedings with regard to the charge sheet dated 7th June, 1976 while Ex. M 12 is the enquiry proceedings in respect of the charge sheet dated 14th June, 1976. Ex. M. 7 and M 13 are the reports of the Enquiry Officer who found the Petitioner guilty of the charges framed. Ex. M 8 is the report of the Canteen Clerk complaining that the Petitioner had not remitted a sum of Rs. 624.23 entrusted to him between 18th December, 1975 and 9th February, 1976. Ex. M 11 is the Notice sent to the Petitioner intimating the date of the enquiry in regard to the second charge sheet.

8. To substantiate his contention that no enquiry was in fact conducted and that he was made to admit the charges by the Canteen Clerk and the Welfare Officer, the Petitioner got himself examined as W.W.1. He stated that after serving charge-sheets, his thumb-impressions were obtained by the Welfare Officer on certain papers over which something was written, that though he was called to participate in the enquiries, no one was examined in his presence, that he too was not questioned or examined by the Enquiry Officer, and that he never admitted the charges levelled against him. A close scrutiny of his evidence would leave no room to doubt that the Petitioner, was bent upon denying each and every thing in an attempt to suppress the truth. Having admitted that he submitted explanations to the two charge-sheets served on him, he did not hesitate to deny the same, when asked if he had not pleaded guilty to the charges framed. It is difficult to believe that not even a single question was put to him by the Enquiry Officer, having called him to appear on a particular day. He however admitted that he never complained to the Management or any other Officer, against the Welfare Officer or the Canteen Clerk or even against the Enquiry Officer, even though the former two obtained his thumb-impressions on prepared statement without disclosing their contents to him and the latter did not record the statements of witnesses in his presence and thereby deprived him of any opportunity to defend himself. His evidence that he never admitted the alleged offences is contrary to what has been pleaded in the claim statement. In the claim statement he has pleaded that he was made by the Welfare Officer and Canteen Clerk to submit explanation admitting his guilt and he chose to give a go by to the plea taken, while giving evidence. This and other circumstances, appearing on the face of the record, are sufficient to hold that the petitioner in a desperate bid to somehow extricate himself from the situation in which he found himself placed, went on denying each and every suggestion made to him.

9. Probably realising the position, the learned counsel for the Petitioner, fairly conceded that there is nothing to find fault with the domestic enquiries held, or even the findings recorded by the Enquiry Officer. He only urged that the punishment of dismissal awarded must be held to be quite disproportionate and unwarranted, in view of the long lapse of time between the date on which the petitioner was expected to remit the amount, and the date on which the non-remittance or delayed remittance was detected. According to him, almost every day or once in two days, the sale proceeds were being sent for remittance in the accounts office in proof of which the accounts office would pass receipts so that the Canteen Clerk or the Welfare Officer, who send the amount for remittance may make themselves sure of the remittances. In such an event, there is absolutely no scope of any non-remittance or short remittance going undetected for more than one day because the Canteen Clerk or Welfare Officer, is expected to ask for the production of the receipt soon after the petitioner returns from the Accounts office, either on the same day or on the next day. Failure to detect the non-remittances for so long a time, necessarily indicates the complicity of the Canteen boy and the Welfare Officer in the matter without which there is no possibility of the non-remittance going undetected for so long a time. I am prone to believe that as I am convinced after giving my anxious thought

to the matter, that without the complicity of atleast the Canteen boy, there is no scope for the Petitioner to avoid detection of the non-remittances for so long a time. I am also lead to believe that the Clerk himself, might have utilised the amounts, with a hope to make good the same a few days later and throw the entire blame on the Petitioner, when the offence was detected. Of course, this must have been done with the connivance of the Canteen boy. Though it is said that the wife of the Petitioner paid Rs. 325.10 to the Welfare Officer on 2-6-1976, I find it difficult to believe it as the Petitioner would not have kept the entire amount in his house without utilising any portion of it, having chosen not to remit the said amount on the date on which it was entrusted to him. One generally stoops to such things only when he finds himself hard pressed for money. Whatever that be, the simple fact that the Clerk or Welfare Officer, who were bound or were expected to insist on the production of receipts every day, did not notice the non-remittances for a considerable period, makes me to believe that there is some truth in the submission made by the learned counsel for the Petitioner that the Management for reasons best known to it proceeded against the Petitioner alone, without taking any action against the Canteen Clerk.

10. The learned counsel for the Management contended that once the enquiry is conceded to be fair and proper, including the findings of the Enquiry Officer, any attempt made to make it appear that some one also must have had a hand in committing the offence, will be harping on imagination and that even if some one else had his hand in this affair, that can be no ground to exonerate the Petitioner, who is rightly found guilty of the charges, particularly when the charge is one of misappropriation. I do not say for a moment that a person guilty of mis-appropriation, can with any amount of grace be asked to be retained in service. But having regard to the fact that the Petitioner must have only obliged the Canteen Clerk is not remitting certain amount and in late remittances, without himself having much benefit out of it, and that the Clerk is allowed to go scot free, I am of the opinion that ends of justice will be sufficiently met if the order of dismissal is ordered to be treated as one of discharge simpliciter, so that the petitioner may not forge the benefit to which he would be entitled but for the dismissal order.

11. For all the foregoing reasons, an award is passed finding that the Management of M/s. Singareni Collieries Company Limited, Godavari Khani, No. 5 Incline, is not justified in dismissing Sri Modi Narasiah. Ex-Canteen Cleaner, and that treating the dismissal order as one of discharge simpliciter, the Petitioner shall be given whatever monetary benefits to which he would be entitled under law.

Given under my hand and the seal of this Tribunal, this the 31st day of August, 1979.

#### APPENDIX OF EVIDENCE

Witnesses examined  
for Workman :

W.W.1.—Modi Narasiah,

Witnesses examined for  
Management :

Nil.

Documents exhibited for the Workmen :

Nil.

Documents exhibited for the Management :

Ex. W1 by consent.—Charge sheet No. GVDK/5/36/1496/76 dated 7-6-1976 issue to Sri Modi Narasiah by the Management.

Ex. M2 by consent.—Notice No. GVDK/5/36/1527 dated 10-6-1976 issued by the Management to Sri Modi Narasiah for enquiry.

Ex. M3 by consent.—Remittance letter from Welfare Officer to JAO(C)(3) Nos.

Ex. M4 by consent.—Consent letter given by Mr. Modi Narsiah depositing Rs. 325.10 to GVDK 5.

Ex. M5 by consent.—Reply by Modi Narsiah dated 15-6-76 to C/S, GVDK/5/36/1496/76 dated 7-6-1976.

Ex. M6 by consent.—Statements of Sarvasri Modi Narsiah Canteen Boy, Rama Suri, Canteen Clerk and S. Krishna.

Ex. M7 by consent.—Enquiry Report dated 21-6-1976.

Ex. M8 by consent.—Complaint by Canteen Clerk Sri Ramana Suri No. 5 Incline to the Colliery Manager.

Ex. M9 by consent.—Charge Sheet No. GVDK 5/34/1591/76 dated 14-6-1976 issued by the Management to Sri Modi Narsiah.

Ex. M10 by consent.—Reply dated 15-6-1976 by Sri Modi Narsiah to the Colliery Manager, G. DK. No. 5 Incline.

Ex. M11 by consent.—GVDK/5/CS/34/1634 dated 17-6-1976 issued by the Management to Sri Modi Narsiah.

Ex. M12 by consent.—Statement of Sarvasri Modi Narsiah, Canteen Boy, S. Krishna, Welfare Officer, GVDK 5 and T.V. Ramanasuri, Canteen Clerk, GVDK 5.

Ex. M13 by consent.—Enquiry Report pertaining to Sri Modi Narsiah.

G. SADASIVA REDDY, Presiding Officer

[No. L-21012(14)/78-D.IV(B)]

SHASHI BHUSHAN, Desk Officer

### आदेश

नई दिल्ली, 18 सितम्बर, 1979

कां० प्र० 3453.—केंद्रीय सरकार की राय है कि इससे उपाखण्ड अनुसूची में विनिर्दिष्ट विषयों के बारे में कुद्रेमुख आयरन और कंपनी लिमिटेड के प्रबन्धन से सम्बन्धित नियोजकों और उनके कर्मचारियों के बीच एक औद्योगिक विवाद विद्यमान है ;

और केंद्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्दिष्ट करना प्रांतीय समझौते है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये, केंद्रीय सरकार एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री एफ. एल. एफ. एन. वारेस होंगे जिनका मुख्यालय बंगलौर में होगा और उक्त विवाद को उक्त औद्योगिक अधिकरण को न्यायनिर्णयन के लिए निर्दिष्ट करती है ।

### अनुसूची

"क्या कुद्रेमुख आयरन और कंपनी लिमिटेड, बंगलौर के प्रबन्धन की, श्री एन. ई. मोहम्मद, ड्राइवर को 4-7-1978 से सेवा से पदच्युत करने की कार्यवाही न्यायोचित है? यदि नहीं, तो उक्त कर्मकार किस अनुसूची का हकदार है ?

[संख्या एल-26012/1/79-डी. 3 की]

### ORDER

New Delhi, the 18th September, 1979

S.O. 3453.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Kudremukh Iron Ore Company Limited and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute to adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Sri F. L. F. Alvares shall be the Presiding Officer with headquarters at Bangalore and refers the said dispute for adjudication to the said Tribunal.

### SCHEDULE

"Whether the action of the management of Kudremukh Iron Ore Company Limited, Bangalore, in dismissing Sri N. E. Mohammed, Driver, from their services with effect from 4-7-1978 is justified? If not, to what relief the said workman is entitled?"

[No. L-26012/1/79-D. III. B]

New Delhi, the 28th September, 1979

S.O. 3454.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Madras in the industrial dispute between the employers in relation to the management of Krishna Mines, Ramaianpatti, P. O. Tirunelveli, District, Tamil Nadu and their workmen, which was received by the Central Government on the 18th September, 1979.

BEFORE THIRU T. SUDARSANAM DANIEL, B.A., B.L.  
PRESIDING OFFICER, INDUSTRIAL TRIBUNAL

### Industrial Dispute No 35 of 1978

(In the matter of the dispute for adjudication under section 10(1)(d) of the Industrial Disputes Act, 1947 between the workmen and the Management of Krishna Mines, Ramaianpatti P. O. Tirunelveli District).

### BETWEEN

The President, Nellai Suranga Thozhilalar Sangam, 18, Parashakthi Building Tirunelveli (Tamil Nadu).

### AND

The Proprietor, Krishna Mines, No. 5, Kailasapuram North Street, Tirunelveli (Tamil Nadu).

### REFERENCE :

Order No. L. 29011/8/78-D.III.B, dated 5th June, 1978 of the Ministry of Labour, Government of India.

This dispute coming on this day for hearing upon perusing the reference, claim and counter statements and all other material papers on record and upon hearing of Thiru P. Subramaniam, Joint Secretary of Madras State I.N.T.U.C. appearing for the workmen and of Thiruvalargal M. R. Narayanaswami and S. Jayaraman, Advocates for the Management and the parties having filed a memorandum of bipartite settlement and recording the same, this Tribunal made the following.

### AWARD

Tuesday, the 4th day of September, 1979

This is an Industrial Dispute referred to this Tribunal for adjudication by the Government of India under section 10(1)(d) of the Industrial Disputes Act, 1947 between the workmen and the Management of Krishna Mines, Ramaianpatti P.O., Tirunelveli District in respect of the following issue :

Whether the action of the Management of Krishna Mines, Ramaianpatti, P. O. Tirunelveli District (1) Tamil Nadu in terminating the services of Sarvasri (1) T. Durairaj, (2) S. Koilpichai, (3) Antonysamay, (4) S. Paramasivam, (5) V. Ponnupandi, (6) S. Subbaiah Thevar, (7) S. Sridharan, (8) K. Chellapackiam, (9) C. Pechimuthu Thevar and (10) S.

Pichaich employed in their Limestone Quarry with effect from 21-1-1978 is justified? If not to what relief the workmen are entitled to?

(2) Summons were issued to the parties for 11-7-1976 and were served. Petitioner-Union Nellai Suranga Thonulalar Sangam, Tirunelveli filed a claim statement on 11-7-1978 and the Respondent-Management Krishna Mines, Ramaianpatti P.O., Tirunelveli District filed a counter statement on 2-12-78.

(3) After several adjournments, when the dispute was taken up today both parties filed a bi-partite Settlement under section 18(1) of the Industrial Disputes Act, 1947 dated 4-1-1979.

(4) On perusal of the settlement, I find that the term of the settlement are fair and reasonable. Hence it is recorded. An Award is passed in terms of the Settlement, which will form part of the Award.

Dated, this 4th day of September, 1979.

#### ANNEXURE

#### MEMORANDUM OF BI-PARTITE SETTLEMENT ARRIVED AT BETWEEN THE MANAGEMENT OF KRISHNA MINES, TIRUNELVELI AND NELLAI SURANGA THOZHILALAR SANGAM, TIRUNELVELI UNDER SECTION 18(1) OF THE INDUSTRIAL DISPUTES ACT, 1947 ON 4-1-1979 AT TIRUNELVELI

#### PRESENT :

1. Shri S. Rajaraman, Office Manager, Krishna Mines, Tirunelveli.
2. Shri T. Durairaj, President, Nellai Suranga Thozhilalar Sangam, Tirunelveli.
3. Shri S. Kovil Pitchai, Secretary, Nellai Suranga Thozhilalar Sangam.

#### SHORT RECITAL OF THE CASE

In the course of a dispute which arose between the Management and the workers in regard to fulfilment of workload and maintenance of discipline, the services of ten workers were terminated. Following this, there was further indiscipline as a result of which, another twenty two workers have been issued with show-cause notices.

In order to find a solution to the above problems, dialogues were held between the management and the union on 4-1-1979 and the following settlement has been arrived at.

#### Terms of Settlement

1. The services of the following ten workers were terminated with effect from 21-1-78 :

- (a) Sri T. Durairaj T. No. 567
- (b) Sri Kovilpitchai T. No. 606
- (c) Sri S. Paramasivam T. No. 456
- (d) Sri S. Antonysamy T. No. 778
- (e) Sri V. Ponnu Pandi T. No. 591
- (f) Sri S. Subb'ah Thevar T. N. 844.
- (g) Sri S. Pechi Thevar T. No. 379
- (h) Sri S. Pitchiah T. No. 634
- (i) Sri K. Sridharan T. No. 879
- (j) Sri K. Chellapaghyam T. No. 752

out of these ten workers. Messrs K. Sridharan and K. Chellapaghyam have, of their own record, informed the management in writing that they do not wish to be re-employed and have received all their statutory dues as full and final settlement.

The management now agrees that the remaining eight workers shall be taken back into service within three days from the date of this settlement.

2. In respect of the termination of these ten workmen an industrial dispute is pending before the Industrial Tribunal Madras, under I.D. 35/78. In view of the settlement now reached, as per which, eight workmen will be reinstated in service and two workmen have settled their dispute with the management, the Union and the Management agree to file a joint memorandum before the Industrial Tribunal, Madras.

3. The management have expressed their inability to agree to pay backwages to these eight workers for the period of their non-employment. However, the Management agree to ensure that the continuity of their services will not be affected for the purposes of provident fund, gratuity, etc.

4. The services of two workmen by name Mr. Dalavoi and Mr. Packiaraj were terminated with effect from 5-3-77. In regard to this matter, an industrial dispute was raised before the Industrial Tribunal, Madras, under I. D. 51/77. The Tribunal has upheld the action of the management. However, in deference to the request of the Union, the aforesaid two workmen will be taken back into service as new entrants in service.

5. In response to the request of the Union, the management agree to withdraw the show cause notices dated 23-10-78 issued to twenty two workmen and drop all further proceedings pending against them.

#### MANAGEMENT

Sd.....

Sd.....

#### UNION

Sd.....

Sd.....

#### Witnesses

1. Sd/-

2. Sd/-

T. SUDARSANAM DANIEL, Presiding Officer  
[No. L-29011/8/78-D.III.B.]  
A. K. ROY, Under Secy.

New Delhi, the 22nd September, 1979

**S.O. 3455.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal Hyderabad in the industrial dispute between the employers in relation to the management of the Indian Airlines and their workman, which was received by the Central Government on the 20th September, 1979.

#### BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) AT HYDERABAD.

#### PRESENT :

Sri G. Sadasiva Reddy, B.A. B.L., Industrial Tribunal.

Industrial Dispute No. 11 of 1978.

#### BETWEEN

Workmen of Indian Airlines, Hyderabad.

#### AND

The Management of Indian Airlines, Hyderabad

This Industrial Dispute coming for final hearing before me on 29-8-1979 upon perusing the reference, claim statement, counter and other material papers on record and upon hearing the arguments of Sarvasri S. Ravindranath and A. K. Jayaparakash Rao, Advocates for the Workman and R. Raghavan & C. Ramakrishna, Advocates for the Management and having stood over for consideration, the Tribunal passed the following :—

#### AWARD

On an industrial dispute that arose between the Management of Indian Airlines, Hyderabad and their Workmen

Sri K. Venkatesh, the Government of India, by its order dated 5-5-1978 referred the matters specified in the schedule, to this Court for adjudication under Section 10(1) (d) of the Industrial Disputes Act, 1947.

### SCHEDULE

"Whether the action of the Management of the Indian Airlines, Hyderabad in terminating the services of Sri K. Venkatesh, with effect from 7th January, 1947 is justified? If not, to what relief is the said workman entitled?"

2. The case of Sri K. Venkatesh, who shall hereafter be referred to as the Petitioner, as per the claim statement filed is briefly the following.—The Petitioner was first appointed as a central mechanic in the service of the Indian Airlines, Hyderabad, by the Station Head, after subjecting him to a thorough medical examination on 19-6-1969. One year thereafter, the Petitioner was once again directed to undergo medical examination through a letter dated 28-7-1970 which he underwent and he was continued in service till the end of 1971 when again, through their letter dated 14-12-1971 the respondent-management required the Petitioner to undergo medical examination for the purpose of absorbing him on a permanent basis. The Petitioner who underwent medical examination was found fit and so his services were regularised by an order dt. 4-5-1972 and was allowed all the benefits such as privilege leave, casual leave, sick leave, free air passage etc. which benefits will be extended only to permanent employees.

3. While so, the employees of Indian Airlines, went on strike in November 1973 and the management declared a lockout, which was however lifted with effect from 23-11-73 subject to the condition that all those who went on strike, shall give an undertaking in the prescribed form supplied by the management. The Petitioner, along with other employees gave the undertaking on 31-12-73 and resumed duty on the same day. He worked till 4-1-74 and availed the holidays on 5th and 6th January 1974. When he reported for duty on 7-1-74 he was illegally prevented from resuming duty by Mr. Benerji, the Industrial Distributor. The Petitioner therefore submitted an application to the management to let him know why he was not permitted to resume duty on 7-1-74. A reply was given on 24-1-74 by the Station Head, Hyderabad, that lockout was lifted only for permanent staff and that the Petitioner, being only a casual worker, who was found to be medically unfit cannot be resumed in service. The above allegation that the Petitioner was only a casual worker or that he was found to be medically unfit is false. He therefore sent another representation to the Station Head on 28-1-74 and again on 26-2-74 to which a reply was given that the earlier reply given was final. The Petitioner then moved the Asst. Labour Commissioner (Central) before whom the management took a false stand that the Petitioner was a T. B. patient, as a consequence of which conciliation failed. The Petitioner was never before informed that he had T. B. The Petitioner was also not given one month's notice nor was he paid the notice pay and retrenchment compensation at the time of terminating his service. Thus the termination effected on false grounds is also opposed to Section 25F of the I. D. Act. The same is therefore liable to be set aside, and the Petitioner, who could not secure any alternative job till now, is entitled to reinstatement with full back wages and all other attendant benefits.

4. The respondent-management has filed a counter contending as follows.—The Petitioner was no doubt engaged as a cleaner in the service of the respondent, but it was only from 30/31 July 1970 and not earlier, that too, as a casual worker. His initial appointment was only for a period of 60 days. He was not subjected to any medical examination at that stage. For the first time, the Petitioner along with a few others was sent for medical examination on 14-12-1971 for considering whether he can be absorbed on a permanent basis. But he was found to be medically unfit, by Dr. Brahmaji Rao, the Cardiologist, Osmania Medical Hospital, because it was noticed that the Petitioner was suffering from Rhlumnaic nital and antic valve disease with evidence of biventricular hypertrophy and left atrial hypertrophy. X-ray chest was also taken at the instance of the Senior Medical Officer of the Airlines, and the case of the Petitioner was finally forwarded to the C.M.O. of the Airlines Corporation,

New Delhi, who, on examining the reports decided on 19-4-1972 that the Petitioner was unfit to be absorbed in the service of the respondent on permanent basis. No person is eligible to be appointed in the service of the respondent, without being medically fit as per Regulation 10 of the Corporation and termination of Petitioner's service effected only because he was found to be medically unfit is perfectly valid and cannot be questioned. The mere fact that the Petitioner was allowed to continue in service on casual basis, for a few days even after he was found medically unfit, which was done purely on humanitarian grounds does not give the Petitioner any right to question the termination. The allegation that his services were regularised and that he was given the status of a permanent employee is false. It is no doubt true that some benefits were extended to him inspite of his being a casual worker. That was done because he had completed one year of continuous service and even this does not give him the status of a permanent employee. As per Regulation 6(12) of I. A. Service Regulations, permanent employee is one who has completed the prescribed probationary period and who has been confirmed as a regular member of the staff against the permanent sanctioned strength and none else. The Petitioner was never absorbed on a permanent basis as he had not satisfied the requirement of medical fitness. On the other hand he was found to be medically unfit and could not therefore be absorbed in service on permanent basis.

5. It is also true that the Petitioner was permitted to work from 31-12-73 to 4-1-74 after lifting the lockout but that was done only due to an honest mistake on the part of the concerned officials of the respondent. In fact, no one engaged on casual basis was required to sign the undertaking including the Petitioner. That was required of only the permanent employees. The mistake was discovered on 7-1-74 and hence the Petitioner was rightly prevented from resuming duty on 7-1-74. Since the termination of his service was only because he was found to be medically unfit, question of giving one month's notice or paying notice pay and retrenchment compensation does not arise. The Petitioner cannot treat the termination as retrenchment and invoke Section 25F of the I.D. Act because the termination for continued ill health falls within the exception provided in clause (c) of Section 2(oo) which excludes the application of Section 25F of I.D. Act. The Petitioner cannot therefore have recourse to Sec. 25F and as the action of the respondent in terminating the services of the Petitioner for his continued ill health is perfectly valid and legal, the Petitioner will not be entitled to any relief, and his claim is therefore liable to be rejected.

6. This Tribunal, under the reference, is called upon to decide whether the termination of the services of the Petitioner, by the management of Indian Airlines, Hyderabad, is justified. As seen from the pleadings, the fact of termination is not disputed by the management. The management is also not disputing the fact that termination was not for any mis-conduct in which case they should have normally held a domestic enquiry. On the other hand, it is the specific case of the management that termination of service was for continued ill-health of the Petitioner. In other words the termination was due to the fact that the Petitioner was found medically unfit to be retained in service. This has been disputed by the Petitioner according to whom the ill-health attributed to him is false. One witness is examined by each of the parties in support of their respective contentions and the documents filed by them are marked as Ext. W1 to W18 and M1 to M3 respectively.

7. Since there is a dispute between the parties even with regard to the status of the Petitioner by the date of termination, i.e. whether he was only a casual worker or had attended permanent status, I shall dispose of this question at the first instance.

8. Petitioner claims that he was made permanent after subjecting him to medical examination and was therefore given certain benefits like privilege leave, casual leave, free air passage etc. which according to him are benefits given or allowed only to permanent employees and not casual workmen. This has been stated so in his evidence by the Petitioner who is examined as W. W1. He has however admitted that his first appointment was only as a casual cleaner and this is evident from Ex. W1 the order of appointment dated 30/31-7-70. Petitioner has no doubt stated that he was first appointed in 1969 itself but he has not filed any document in proof of it. From Ex. W1 it is evident that he was first

appointed for a period of 60 days with effect from 31-7-70 as a casual cleaner. Before appointing him, the Petitioner was also directed to undergo medical examination and this is evident from Ex. W2 dt. 28/29-7-70. The appointment has been reiterated by Ex. W4 issued by the Regional Director of the respondent. The Petitioner's evidence that Ex. W4 is the appointment order for a fresh period of two months after the expiry of the period for which he was appointed under Ex. W1 is not correct.

9. It is further the evidence of the Petitioner that he was again sent for medical examination in December 1971 after which alone, his services were regularised and was given the status of a permanent employee. Ex. W5 is the letter dated 14-12-1971 of the Admin. & Personnel Officer of the Airlines, under which the Petitioner and others were referred to the Sr. Medical Officer and Ex. W6 is the order dt. 4-5-1972 under which the Petitioner and two others who had completed one year's continuous service by 31-7-71 were given the benefits of privilege leave, annual increment, casual leave and others. The Petitioner obviously relies on this order covered by Ex. W6 to substantiate his contention that his services were regularised and that he was given permanent status. No one on behalf of the management is examined to explain the effect of Ex. W. 6. The learned counsel for the management however contended that in the absence of any mention having specifically been made in Ex. W6 to the effect that the services of the Petitioner were either regularised or that he was given the status of a permanent employee, the contention of the Petitioner cannot be accepted. I find myself unable to accept the above contention because, the benefits, particularly the benefits of annual increments, casual and privilege leave, admission to IAEPF, and contributory P. F., will not be extended to any employees other than those whose services were regularised or who were given permanent status. It is difficult to visualise that the above benefits will be extended to casual workers. If it is not even the case of the management that even casual workers will be entitled to the above benefits, provided they have put in a continuous service of one year unless their services are regularised after finding them to be medically fit. If such is the case, nothing prevented the management to lead evidence in proof of it or atleast to quote the relevant rules governing the service of casual and permanent workmen. Failure on the part of the management to lead any evidence in this regard is sufficient to hold that the stand taken by it that the Petitioner continued to be a casual worker cannot be true.

10. This apart, the fact that the Petitioner continued to be in service enjoying the above benefits till 7-1-74 on which date his services were terminated and that he was asked to give an undertaking after lifting the lockout, would only go to show that the Petitioner was conferred the status of a permanent employee and was treated as such by the management. Ex. W8 is the undertaking given by the Petitioner and this fact is not denied by the management. It is pertinent to note in this regard that it is the case if the management as seen from para 6 of the counter, that option of giving an undertaking was given only to permanent employees and not others since lockout was lifted only in the case of permanent employees. If the Petitioner was not given the permanent status there was no necessity for asking him to give the undertaking. It is no doubt pleaded that it was by mistake or inadvertence that the Petitioner was allowed to give an undertaking and was also allowed to work from 31-12-73 to 7-1-74. This plea, again has not been substantiated by leading any evidence. I need hardly state that pleadings are no substitute to evidence and so, in the absence of any evidence to substantiate the above plea, the evidence of the Petitioner, coupled with Exs. W6 to W8 has to be accepted so as to find that his services were regularised and that he was given the status of a permanent employee even by December 1971.

11. Even assuming that the Petitioner was not given the status of a permanent employee, his services cannot be terminated without complying with the mandatory provisions of Section 25-F of the I. D. Act, since he had by the date of termination put in a continuous service of more than one year. Probably, realising this position, the management has come forward with a plea that the termination affected for continued ill-health, does not amount to retrenchment as defined in Section 2(oo) of the I. D. Act, so as to attract the

provisions of Sec. 25-F. Indeed, one of the exceptions provided in Sec. 2(oo) is continued ill health, as a consequence of which termination on that ground is excluded from the definition of 'Retrenchment'. It cannot therefore be denied that termination of Petitioner's service does not amount to retrenchment, if it was really on the ground of his continued ill-health. The onus of proving this squarely lies on the management who has examined Dr. U. Brahmaji Rao, Cardiologist to prove that the services of the Petitioner were terminated only because of his continued ill-health. I will now examine the evidence of the Cardiologist who is examined as M.W. 1 and see how far the onus that lies on the management has been discharged in the light of Petitioner's denial of his having ever been examined by M.W. 1.

12. M.W. 1 has deposed that he examined one Mr. Venkatesham, who was referred to him by Dr. Joshi, Sr. Medical Officer of Indian Airlines, on 5-1-1972 and found that two valves in his heart were damaged due to rheumatic fever and that therefore he recommended that the said Venkatesham will not be suitable for employment in Airlines. Ex. M3 is the opinion given by M.W. 1 in that regard. It is admitted that Dr. Joshi, must have sent Mr. Venkatesham to him with a requisition and that the said requisition must have been returned to Dr. Joshi along with his opinion covered by Ex. M3. It is further the evidence of M.W. 1 that there is no possibility of the patient regaining normalcy even after treatment, unless he undergoes an operation and that such a person will not be able to discharge any duties involving manual labour. He categorically denied the suggestion that he gave Ex. M3 without examining any person by name Venkatesham. I am not for a moment prepared to give any credence to the above suggestion as I am sure that a reputed doctor like M.W. 1 will not stoop to such things, even if he was asked to do so by any known person or friend. What remains to be seen is whether it was the Petitioner herein, who was examined by M.W. 1 on the requisition of Dr. Joshi?

13. It is pertinent to note that neither the requisition under which the Petitioner is said to have been referred to M.W. 1 is filed nor the management has chosen to examine Dr. Joshi who is said to have referred the Petitioner to M.W. 1. Ex. M3 is not a medical certificate but only an opinion given by M.W. 1 with regard to the physical condition of Mr. Venkatesham whom he examined. There is nothing in Ex. M3 to fix the identity of the person examined. Petitioner is described as Mr. K. Venkatesh in all the correspondence and other documents filed on either side whereas the person whom M.W. 1 examined is described as Mr. Venkatesham. Significantly enough, the management did not also take any steps to get the Petitioner identified by M.W. 1 as the person who was examined by him and that Ex. M3 relates to him. This, the management could have easily done, by asking the Petitioner to be present in Court when M.W. 1 was examined. This failure on the part of the management goes a long way to support the stand taken by the Petitioner that he was never examined by M.W. 1. If Ex. M3 relates to the Petitioner, that must have been mentioned in the letter under which, Dr. Joshi, is said to have sent all the medical reports including the X-rays to the C.M.O. at Delhi. Even his decision is not filed before this Tribunal though it is pleaded that the service of the Petitioner was terminated on the advice of the C.M.O.

14. This apart, the inordinate delay with which the management moved in the matter, serves as another strong circumstance to entertain a reasonable doubt by any one that the person examined by M.W. 1 might not be the Petitioner. Admittedly, M.W. 1 examined one Mr. Venkatesham on 5-1-1972 and also issued Ex. M3 on the same day. In spite of it, it is rather curious to note that the Petitioner was allowed to continue in service till 7-1-1974. If the Petitioner was the person whom M.W. 1 examined and recommended that he was not fit to be engaged by the Airlines, he would not have certainly been continued in service for so long a period after the receipt of Ex. M3. No one is examined on behalf of the management in order to explain why there was such undue delay in terminating the services of the Petitioner. This would certainly render the stand taken by the management incredible.

15. There is yet another circumstance which makes me to dis-believe the fact that the Petitioner was the person who was referred to M.W. 1 by Dr. Joshi the Sr. Medical Officer of the Indian Airlines. As seen from the judgement of the



High Court in W.P. 2317/75, which is marked as Ex. W 14 the management appears to have urged before the Conciliation Officer that the Petitioner's services were terminated as he was found to be a T.B. patient. It is admitted that X-rays of the Petitioner were taken and these are marked as Exs. M1 and M2. They do not, as per the evidence of M.W. 1 indicate any symptoms of T.B. or any other lung disease. It therefore follows that there is absolutely no truth in the stand taken by the management before the Conciliation Officer with regard to the ailment with which the Petitioner was alleged to be suffering. If Ex. M3 relates to the Petitioner the management would not have certainly attributed T.B. to the Petitioner instead of stating that he had heart disease. Failure on the part of the management to even disclose the exact ailment with which the Petitioner was supposed to be suffering, at the earliest opportunity, leads to one and the only irresistible conclusion that Ex. M3 does not relate to the Petitioner. It is not as if the management was not having Ex. with them by the date of conciliation meeting, because the Petitioner moved the conciliation officer only after his services were terminated i.e. in April 1974 whereas, Ex. M3 was issued on 5-1-1972 itself. It may also be noted that the management had not even referred to the opinion given by M.W. 1 at any time before the dispute was referred to this Tribunal. In Ex. W12 dated 26-2-1974 the management has mentioned that the Petitioner was declared to be unfit by the Sr. Medical Officer without disclosing as to when exactly such a declaration was made and the grounds on which such a declaration was made. That opinion given by the Sr. Medical Officer is also not filed and this is sufficient to draw an inference adverse to the management. I am therefore compelled to hold that the Petitioner was not the person who was referred to M.W. 1 and that Ex. M3 does not relate to him. It is manifest even from the evidence of M.W. 1 that the Petitioner had no symptoms of T.B., or any other lung disease. On their own showing, services of the Petitioner were terminated by the management only on the ground that he was a T.B. patient which stand for obvious reasons has been given up before this Tribunal by the management. All this leads to an inevitable conclusion that the stand taken by the management that the services of the Petitioner were terminated only on account of his continued ill health or that he was found to be medically unfit is nothing but false. I am only distressed to note that a reputed Corporation like Indian Airlines has resorted to set up a false and untenable plea to get rid of a small employee like the Petitioner. Instead of gracefully offering to take back the Petitioner into service, the management made a last minute effort to direct the Petitioner to undergo medical examination once again, taking advantage of the fact that the Petitioner in his evidence expressed his readiness to undergo medical examination provided the management takes him back into service as a condition precedent. That application of the management was dismissed by me finding that there is no justification for such request. To show that his heart is quite sound without any signs of abnormality, the Petitioner has also filed the cardiogram marked as Ex. W18. Though M.W. 1 stated on going through Ex. W18 that it does not show any abnormality in the heart or its valves, that in my opinion cannot be taken into consideration unless it is established by examining the Cardiologist who took the cardiogram that it relates to the Petitioner. However, the fact remains that the management has miserably failed to substantiate its plea that the Petitioner was or is medically unfit to be retained in the job.

16. Once the management failed to substantiate its plea that services of the Petitioner were terminated for his continued ill-health or that he was found to be medically unfit to be continued or retained in service, its action in terminating the service of the Petitioner must be held to be illegal. Such termination, of the service of a person who had admittedly put in a continuous service of more than one year, amounts to retrenchment as defined in Sec. 2(oo) of the I. D. Act, thereby attracting Sec. 25-F of the Act. It is not in dispute that the Petitioner was not given one month's notice or was paid notice pay and retrenchment compensation at the time of termination. While so, it cannot but be held that the termination effected is in violation of the mandatory provisions of Sec. 25-F of the I.D. Act, which renders the same to be illegal.

17. What remains to be considered is the relief to which the Petitioner would be entitled. The normal relief to which a person whose termination is found to be illegal, is reinstatement with full back wages and all other attendant benefits. Mere fact that five years have elapsed before the matter

could be decided is no ground to withhold back wages or other benefits, unless it be shown that there have been laches on the part of the Petitioner in raising the dispute or that he was gainfully employed elsewhere in the meantime. In the instant case, the Petitioner was very prompt in raising the dispute and delay in making reference to this Tribunal cannot be attributed to him. If it is the Government that has to be blamed as it first declined to make the reference on which the Petitioner had to move the High Court. The Petitioner has also deposed that he remained unemployed all these years as he could not secure any employment in spite of his efforts. He has also filed the registration card issued by the Employment Exchange after he was removed from service and a copy of his application made to I.D.L. Company seeking employment. These are Exs. W15 and W16 respectively. The evidence of the Petitioner that he could not secure an alternative job in spite of his efforts has not been disputed by the management. It has been held by the A.P. High Court, in "B. Bikshapathy Vs. The Depot Manager, A.P.S.R.T.C., Hanumakonda Depot, Warangal and another", reported in 1974(2) An W.R. 405 that if the statement of the workman, that he remained unemployed during the relevant period, has not been challenged or disputed by the management, that is sufficient to allow him the benefit of full back wages even if he fails to show that he made an honest effort to secure an alternative employment. The very idea of allowing back wages to the workman is to restore him to his former position and status as if he had never been removed from service. The management in the instant case has not placed any material or urged any ground, so as to deny the relief of back wages in addition to the relief of reinstatement. I therefore find that the Petitioner herein is entitled to the relief of reinstatement with full back wages and other attendant benefits.

18. In the result, an award is passed finding that the management of Indian Airlines, Hyderabad is not justified in terminating the services of Shri K. Venkatesh, the Petitioner and that the Petitioner is therefore entitled to the relief of reinstatement with full back wages and all other attendant benefits.

Given under my hand and the seal of this Tribunal, this the 31st day of August, 1979.

Sd/- Illigible  
Industrial Tribunal

#### APPENDIX OF EVIDENCE

Witnesses examined for the Workmen :

W.W. 1.—Sri K. Venkatesh.

For Management :

M.W. 1 Dr. U. Brahmaji Rao.

Documents exhibited for Workmen :

Ex. W1.—Casual appointment order Hybad. PER/EST/3741 dated 30/31-7-1970 issued by Station Head, Indian Airlines, Begumpet to Sri K. Venkatesh.

Ex. W2.—Order No. Hyd. PER/EST/3694 dated 28/29-7-1970 issued by the Management to Sri K. Venkatesh to appear before the Sr. Medical Officer, I.A., Begumpet, for Medical examination for the casual post of cleaners.

Ex. W3.—Call letter No. I/5714/68 sent by the Employment Exchange to Sri K. Venkatesh.

Ex. W4.—Casual appointment order REF:MDS:PER-EST:(24):6512 dated 27th August, 1970, appointing him as a cleaner for a period of two months on a daily rate of Rs. 5.50 Ps.

Ex. W5.—Copy of the Communication No. Hyd./PER/EST/6359, dated 14-12-1971 sent to the Medical Officer by the Personnel Officer with regard to the medical examination of Sri K. Venkatesh along with a few others.

Ex. W6.—Copy of the Regularisation order Hyd./PER/EST/2196 dated 4-5-1972 issued to Sri K. Venkatesh by the Chief Engineer, Indian Airlines, Hyderabad.

Ex. W7.—Copy of the undertaking by Sri K. Venkatesh.

Ex. W8.—Copy of application dated 7-1-1974 of Sri K. Venkatesh to the Station Head, Indian Airlines, Begumpet, Hyderabad, with regard to assign reasons as to why he was not permitted to resume duty.

- Ex. W9.—No. Hyd/PER/EST, 168 dated 21-1-1974 issued by Indian Airlines, Hyderabad to Sri K. Venkatesh.
- Ex. W10.—Copy of the representation dated 28-1-1974, made by Sri K. Venkatesh to the Management.
- Ex. W11.—Copy of the reminder dated 16-2-1974 made by Sri K. Venkatesh to the Management.
- Ex. W12.—Letter Hyd-PER/IR-1238 dated 26-2-1974 addressed by Station Head in Indian Airlines, Hyderabad to Sri K. Venkatesh.
- Ex. W13.—Permit No. 268 (Gate pass) issued by the management to Sri K. Venkatesh.
- Ex. W14.—Certified copy of the Judgement of the High Court of Andhra Pradesh in W.P. No. 2317 of 1975.
- Ex. W15.—Registration card No. F/2801/79 of Sri K. Venkatesh issued by the Employment Exchange, Hyderabad.
- Ex. W16.—Copy of the application dated 12-4-1975 of Sh. K. Venkatesh to the Works Manager, Indian Detonators Ltd., Kukatpalli, Hyderabad.

- Ex. W17.—Letter No. Hyd-PER/EST/408 dated 17-8-69 by the Indian Airlines to Sri K. Venkatesh, Interview for the post of cleaner.

- Ex. W18.—Cardiograph of Sri K. Venkatesh.

Documents exhibited for the Management :

- Ex. M1.—Medical certificate dated 21-1-1972 issued by Dr. K. R. Vittal Rao, M.D. (Path) to Sri K. Venkatesh, with regard to the result of the Blood ESR.
- Ex. M1(a).—X-ray of Sri K. Venkatesh taken on 21-1-72.
- Ex. M2.—Two X-rays of Sri K. Venkatesh taken on 31-12-1971.
- Ex. M3.—Medical opinion certificate dated 5-1-72 issued by Dr. U. Brahmaji Rao to Sri K. Venkatesh.

G. SADASIVA REDDY,

Industrial Tribunal

[No. L-11011(3)/75-D.II(B)]

HARBANS BAHADUR, Desk Officer.